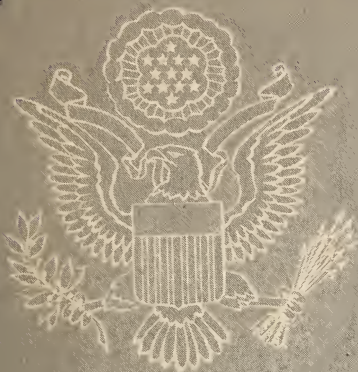


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*United States  
Participation  
in the United Nations*

Report by the  
President to the  
Congress *for the*  
*Year 1948* ☆ ☆

**CAROL CARTER MOOR  
3-224 ARLINGTON TOWERS  
ARLINGTON 9, VIRGINIA**



United States  
*Participation in the*  
United Nations



REPORT BY THE PRESIDENT  
TO THE CONGRESS FOR THE  
YEAR 1948 ON THE ACTIVITIES  
OF THE UNITED NATIONS AND  
THE PARTICIPATION OF THE  
UNITED STATES THEREIN

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OFFICE OF PUBLIC AFFAIRS

## LETTERS OF TRANSMITTAL

### *The President to the Congress*

*To the Congress of the United States:*

The accompanying report on the participation of the United States in the United Nations for 1948 is transmitted to the Congress on the recommendation of the Secretary of State.

The report has my approval.

At this stage in the life of the United Nations it is appropriate to say a word about the Charter and the organization. The Charter is at once a statement of objectives and a guide to action. It proclaims the objectives of preventing future wars, of settling international disputes by peaceful means and in conformity with principles of justice, of promoting world-wide progress and better standards of living, of achieving universal respect for and observance of fundamental human rights and fundamental freedoms, and of removing the economic and social causes of international conflict and unrest.

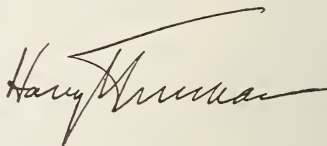
These objectives are well stated in the Charter itself. We subscribed to them at the time we signed the Charter. We are firm in our resolution to work for these objectives.

The Charter is a guide to action. While this is so for all Members, it is particularly so for those enjoying the "right of veto". There is a greater obligation on these five powers than on the other Members to conduct themselves in accord with the principles of the Charter. They must "settle their international disputes by peaceful means in such a manner that international peace and security, and justice, are not endangered." Equally, they must "refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any state, or in any other manner inconsistent with the Purposes of the United Nations." Fulfilment of these obligations means the exercise of national self-restraint in international relations. Along with other Charter obligations they place limits on our freedom of action. But these limits are self-imposed, because we signed the Charter without reservation. During 1948 we have continued to recognize these Charter obligations as restrictions upon our conduct. We will continue so to recognize them.

And we have a right to expect other Members of the United Nations to act similarly, for the Charter is a pledge of good faith exchanged by each Member with all the others.

I recommend the accompanying report to the attention of the Congress. The nature of our participation and the many different ways in which it is manifested may come as a surprise to many members. But it will not be an unpleasant surprise. We have taken the leadership in many fields of international relations. We can be proud of what we have done. If the United Nations as a security organization has disappointed us, as the Secretary of State notes, and if we have had to take supplemental measures to meet actual or potential threats to our security, it is not because the United States has not put forth real efforts to develop the United Nations to its full stature. The world today is not the world we had hoped for when the San Francisco conference adjourned less than four years ago.

The United States supports the United Nations in all respects. The following pages tell how that was done in 1948.

A handwritten signature in cursive script, reading "Harry Truman". The signature is written in dark ink and is positioned to the right of the main text block.

THE WHITE HOUSE  
*May 12, 1949*

## *The Secretary of State to the President*

DEPARTMENT OF STATE

*Washington*

*March 17, 1949*

MY DEAR MR. PRESIDENT:

Transmitted herewith is a record of United States participation in the United Nations for the year 1948. I recommend that the report be approved and forwarded to the Congress in response to section 4 of the United Nations Participation Act (Public Law 264, 79th Congress).

Both hope and disappointment marked the participation of the United States in the United Nations during 1948. The hope grew out of the continuing feeling that the principles and purposes of the United Nations Charter offer the best basis of a peaceful world with international justice and respect for individual human rights and that most Members of the organization are working loyally in that direction. At the same time there was disappointment because of the failure of certain states to observe their obligations under the Charter on matters which seriously affect the maintenance of peace.

At the end of the year the American people could feel satisfied that their Government had used their rights and had respected their obligations as a Member of the United Nations. Our conduct was responsive to those rights and obligations in different ways. The United States took the lead in keeping the attention of the United Nations focused upon the political questions of the future government of Palestine, the independence of Korea, and the maintenance of the territorial integrity and political independence of Greece. In passing I wish to note that a major part of the personnel and equipment needed to facilitate United Nations efforts at peaceful settlement in these areas was supplied by the United States. Through its member on the Security Council's three-member Commission of Good Offices the United States took a prominent part in efforts to bring about a peaceful settlement of the differences between the Netherlands and the Indonesian republic. When exhaustive efforts failed to remove the threat to peace caused by the Soviet blockade of Berlin, we joined with France and the United Kingdom in placing the matter before the Security Council.

In other fields the United States was equally active. By its vigorous advocacy of forward steps the United States maintained its position

of leadership in the field of human rights and fundamental freedoms. The right to gather and disseminate news was given a strong impulse by the United States at the Freedom of Information Conference in March 1948. The American people have made available much of the money used by the International Children's Emergency Fund.

With respect to the trusteeship system, the United States took an active part in developing the Charter techniques of supervising the administration of trust territories and of giving substance to the right of petition of their inhabitants. As a Member responsible for the administration of non-self-governing territories, the United States submitted full information about its own territories.

By supplying complete statistical data we aided the United Nations in its analysis of the world economic situation through the Economic and Social Council and its commissions. We encouraged the greater use of the International Court of Justice.

We cooperated actively in the "Little Assembly's" study of voting procedure in the Security Council by defining our 1947 proposals for removing the unanimity requirement (the veto) from action in pacific settlement of disputes and in admission of new Members.

We agreed to extend to the United Nations a 65-million-dollar interest-free loan for headquarters construction.

I am glad to be able to provide this evidence of American steadfastness in our support of the United Nations. Details are to be found in the pages which follow.

At the same time, I feel it my duty to report that the American people, along with others, experienced disappointment over the inadequacy of some of the efforts of the Members of the United Nations to provide international peace and security on the basis of the Charter. In 1948 the conclusion became clearer than ever that as a security organization the United Nations has not thus far been able to grow to its full stature.

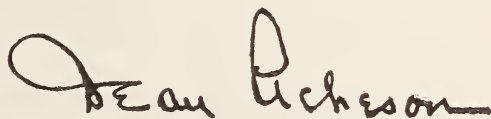
To meet the resulting need, several courses permitted by the Charter and consistent with its purposes have been followed. One course adopted has been to explore possibilities in the Charter relating to regional security arrangements. This procedure was recognized in the Senate resolution reaffirming the policy of the United States to achieve international peace and security through the United Nations (S. 239, 80th Congress). In line with this resolution, negotiations for a North Atlantic security pact were under way at the year's end. The same approach has been followed by certain other states as evidenced by the Brussels pact entered into by the United Kingdom, France, and the Benelux countries and endorsed by the United States Government. Another course consistent with the pur-



poses of the Charter was the continuation of economic assistance and the provision of military equipment to Greece, Turkey, and China. The institution of the European Recovery Program followed the realization that the long-range Charter objective of increasing political stability by economic improvement required an interim program for Europe.

Nevertheless, there is no sound reason for Americans to lose confidence in the United Nations. Responsible collective judgment on matters of international concern is better than the interested and sometimes irresponsible judgments of individual nations. The future of America is closely related to the extension of democratic principles and practices in other areas; we believe the United Nations is the proper agency for promoting that extension by peaceful and proper means. Much remains to be done; the present need is to reaffirm our belief in the Charter of the United Nations and to strengthen our support for its processes of peace.

Faithfully yours,

A handwritten signature in cursive script, reading "Jean Richeson". The signature is written in dark ink and is positioned below the typed name.



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PART A

The Third Year  
Of the United Nations



## REPORT FOR 1948

A SIGNIFICANT aspect of the record of the United Nations in any year is the development of the organization and work of each of its major organs. A second significant aspect is the development of the work of the organization as a whole in respect of each of the concrete problems which has come before any of its organs. In the practical handling of its work, the United Nations functions to a considerable extent as an organism and not as a group of dispersed and isolated agencies. In part A of this report attention is focused briefly on the organizational developments and work of each of the six principal organs of the United Nations during 1948. Part B traces the consideration given or action taken in respect of the main problems in the following major fields: political and security; economic, social, and human rights, including freedom of information; trusteeship and non-self-governing territories; budget, administration, and organization; and international law.

### GENERAL ASSEMBLY

The General Assembly, consisting of all 58 Members of the United Nations, meets in regular session each September and in special session as occasion may demand. Because of its wide membership and the broad range of its responsibilities, it is a most significant forum for the views of governments and a potent factor in the development of collective international policies. The importance attached by governments to the Assembly's work is reflected in the large attendance of governmental leaders and in the vigor with which national viewpoints are put forward and defended in the debates.

The work of the Assembly touches practically the entire range of activity of the United Nations. To deal in detail with this broad subject matter, the Assembly's rules provide for six main committees of the whole membership, to which the different types of problems are

referred before action by the Assembly itself. These are as follows:

1. Political and Security Committee (including the regulation of armaments);
2. Economic and Financial Committee;
3. Social, Humanitarian, and Cultural Committee;
4. Trusteeship Committee (including non-self-governing territories);
5. Administrative and Budgetary Committee; and
6. Legal Committee.

As in 1946 and 1947, the Assembly was in session twice during the year. Its Second Special Session, from April 16 to May 14, 1948, was called at the request of the Security Council to consider the problem of the future government of Palestine in the light of developments which had occurred since the Assembly's resolution of November 29, 1947.<sup>1</sup> The Assembly adopted on May 14 a resolution providing for a United Nations Mediator to carry forward in Palestine itself, in conjunction with the parties, the efforts of the United Nations to reach a solution for this problem. This action represented a stage in the practically continuous consideration of this problem by the General Assembly and the Security Council.

Pursuant to its 1947 decision, the Third Regular Session of the General Assembly was held in Paris rather than at the headquarters at Lake Success, N. Y. The Session began on September 21, 1948, and on December 12, 1948, was temporarily adjourned until early April 1949, when it will reconvene at the headquarters. Attended in unprecedented numbers by representatives of European press and radio services, the Paris meetings may have served to bring the work of the United Nations more vividly to the European peoples.

Herbert V. Evatt of Australia was elected President of the Assembly. The chairmen of the six main committees were as follows: First Committee, Paul-Henri Spaak (Belgium); Second Committee, Hernan Santa Cruz (Chile); Third Committee, Charles Malik (Lebanon); Fourth Committee, Nasrollah Entezam (Iran); Fifth Committee, S. Dana Wilgress (Canada); Sixth Committee, Ricardo Alfaro (Panama). The Heads of the Delegations of China, France, Mexico,

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<sup>1</sup> The officers of the Assembly for the Second Special Session were as follows: President; José Arce (Argentina); chairmen of committees: First, T. F. Tsiang (China); Second, Eduardo Anze Matienzo (Bolivia); Third, Carlos Garcia Bauer (Guatemala); Fourth, C. A. Berendsen (New Zealand); Fifth, Joza Vilfan (Yugoslavia); Sixth, Nasrollah Entezam (Iran); Vice Presidents: Representatives of France, Peru, Sweden, Turkey, U.S.S.R., United Kingdom, and United States.

Poland, the U.S.S.R., the United Kingdom, and the United States were elected Vice Presidents of the Assembly.

The Assembly was presented with an agenda even heavier than those of previous sessions. At the beginning, some 75 items had been submitted for consideration; several items were added during the course of the Session. Especially noteworthy was the number of political and security matters which, as in preceding years, were placed before the Assembly.

The work of the Session in the political field was conditioned largely by the continuing differences between the Soviet Union and the other Members. In all the important political questions considered except that of Palestine, i.e. the questions of atomic energy, the reduction and regulation of conventional armaments, Greece, Korea, the veto, membership in the United Nations, and the Interim Committee, the issues were sharply drawn between Soviet and non-Soviet views. Consideration of these questions—particularly those of atomic energy, reduction of conventional armaments, and the Greek question—led to debates on foreign policies generally and on the broad issues separating the Soviet Union from other countries.

Concern was manifested by many of the delegations from smaller countries over the serious differences among the great powers reflected in Assembly debates and in the Berlin case, which was then under consideration by the Security Council. A resolution proposed by Mexico, calling upon the major allied powers to compose their differences and to reach as quickly as possible the agreements necessary to liquidate the results of the war and establish peace, was adopted by the Assembly.

The decisions on all of the specific political matters were, with isolated exceptions, opposed only by the Soviet group. The Assembly did not automatically adopt the proposals made by any one Member, as often alleged by Soviet spokesmen. On the contrary, national proposals were, in practically all instances, modified through the process of discussion. They expressed the views of a large majority, and they emerged with the support of practically the entire Assembly except the Soviet bloc. This fact reflects clearly the extent of the divergence of Soviet aims and policies from those of practically all other Members. Unfortunately, no tendency was seen on the part of the Soviet group to reconcile its views with those of the rest of the membership.

The impressive measure of agreement reached on these matters—all of which are continuing problems—probably resulted to some extent from the fact that in most instances the Assembly had before it the report of a specialized body that had dealt continuously with

the matter. In the field of atomic energy the General Assembly approved the plan of international control developed by the Atomic Energy Commission during two years of painstaking effort. The Assembly, in taking note of the work of the Commission for Conventional Armaments, adopted a resolution which affirmed the principle already advanced by this Commission that reduction of armaments can take place only in an atmosphere of international confidence and security. In the Greek and Korean cases, it endorsed the work of its commissions, the United Nations Special Committee on the Balkans and the Korean Commission. The reports of the Interim Committee on the veto, on methods for the promotion of political cooperation, and on continuance of the Interim Committee were, by and large, approved. The work and reports of these bodies furnished the Assembly with facts and with expert judgment which it considered reliable. The past year registered a considerable increase in the use of subsidiary bodies by the General Assembly, a trend which seems to increase the effectiveness of the Assembly's political work.

Although attention focused mainly on the political debates, perhaps the most constructive work of the Session lay in other fields. Particularly significant was the approval of the Universal Declaration of Human Rights. At the final meeting of the Assembly, John Foster Dulles, Acting Chairman of the United States Delegation, said:

“Historians will, I think, refer to this session as the Human Rights Assembly. We have met in a country where the Declaration of the Rights of Man was inspired. We have met on a continent which has seen mankind's greatest struggle against tyranny. And we have met at a time when the paramount issue is the preservation of human freedom.”

Adopted by a vote of 48 to 0 (with 8 abstentions), the declaration proclaims human rights and fundamental freedoms as a common standard of achievement for all peoples. The Assembly also adopted a resolution looking toward the accomplishment of the long and difficult task of implementing these principles. It took another important step in approving unanimously a convention on genocide. The convention describes genocide as a crime under international law which the contracting parties undertake to prevent and punish. Following approval by the General Assembly, the convention was signed by the representatives of 20 countries, including the United States.

In the field of finance the Assembly gave express recognition to an important principle for which the United States has long contended—the principle that, in the interests of the organization itself,

no one Member should contribute an unduly large share of the budget. It established the principle that in normal times a "ceiling" of 33 $\frac{1}{3}$  percent on the contribution of any single Member to the total budget for a fiscal year should be maintained.

The extremely heavy agenda of the Session, particularly in the political field, presented even more sharply than heretofore the essential procedural problem of the General Assembly. In order to make possible the continued attendance of responsible political leaders of the Member States, the sessions should preferably be limited to a period of not over six to eight weeks. As in previous years, political problems were debated with such intensity that the progress of the First Committee was markedly slow. At times it appeared that a small minority was deliberately attempting to delay or frustrate the work of the Assembly. Because of the magnitude of the task of considering and approving the Declaration of Human Rights, the Third Committee was unable to complete its agenda.

Faced with the prospect of continuing the Session indefinitely, or of postponing or dropping important items, the Assembly took two decisions. In the first place it established an *Ad Hoc* Political Committee to deal with some of the political problems on the agenda. To this Committee, presided over by Gen. Carlos P. Romulo (Philippines), were assigned the questions of the admission of new Members, the veto, the proposal for a United Nations Guard, the reports of the Interim Committee, and the report of the Security Council. This step accelerated the progress of the Assembly as a whole. The second decision was to adjourn the Session temporarily on December 12, until early April 1949.

The business of the Assembly—particularly in the political field—has expanded rather than decreased during the three years of the Assembly's work. It must be expected that the problem of organizing the Assembly's time and energy in such a way as to bring maximum effectiveness will be a continuing one. The concern of some Members with the problem was reflected in a proposal by the Scandinavian states that a committee be appointed to study and report upon it. The proposal will be considered by the Assembly in April.

### *Interim Committee*

The Interim Committee—a subsidiary organ of the General Assembly—was established for the period between the Second and Third Regular Sessions for the purpose of performing certain preparatory

and follow-up functions for the Assembly in the political field. It was thus envisaged in part as a means of increasing the effectiveness of the Assembly's political work by preparing matters for consideration at the Assembly's relatively short and busy sessions. The Committee, on which every Member is entitled to be represented, organized itself on January 5, 1948, with Padillo Nervo (Mexico) as chairman, Fernand van Langenhove (Belgium) as vice chairman, and Nasrollah Entezam (Iran) as rapporteur. Although the Committee's work was interrupted for a month by the Second Special Session of the Assembly and the preparation for holding the Third Session of the General Assembly in Paris necessitated an early adjournment, 29 meetings of the full Committee and over 50 meetings of its subcommittees and working groups were held.

As authorized by the resolution on Korea at the Second Session, the United Nations Temporary Commission on Korea consulted the Interim Committee at Lake Success in February 1948 concerning the problem arising from the refusal of the Soviet Union to permit the Commission to perform its functions in the Soviet occupation zone in Korea. During the year, the Committee also made three major studies for the General Assembly. One related to the problem of voting procedures in the Security Council; the second, to methods for promoting international cooperation in the political field; and the third, to the advisability of establishing a permanent committee to perform the duties of the Interim Committee with any changes considered desirable in the light of experience.

No disputes or situations were referred to the Interim Committee by Member States for preparatory consideration. The six states of the Soviet group refused to participate in the work of the Interim Committee on the stated ground that the establishment of the Committee was a violation of the Charter and an attempt to "bypass the Security Council".

By a resolution of December 3, 1948, the Assembly extended the life of the Committee as an experiment for another year.

## SECURITY COUNCIL

Under the Charter, the Members of the United Nations have conferred upon the Security Council primary responsibility for the maintenance of international peace and security and agreed that in



carrying out its duties the Council acts on their behalf. The Council undertakes the peaceful settlement of disputes or situations placed before it, and, if it deems that a threat to the peace or act of aggression exists, it seeks to enforce international peace and security. The Council is so organized as to be able to function continuously.

The Council consists of five permanent members—China, France, the U.S.S.R., the United Kingdom, and the United States—and six nonpermanent members elected by the General Assembly for two-year terms. In 1948 the nonpermanent members were Syria, Colombia, Belgium, Argentina, Canada, and the Ukraine; the terms of Syria, Colombia, and Belgium expired at the end of the year, and Cuba, Norway, and Egypt were elected to serve in their places during 1949–50.

The Security Council's work naturally reflected the political instability and division that prevailed in 1948. In part, these conditions were incidental to the process of achievement of full independence and political unification by a number of nations. In part, they resulted from the continued inability of the major powers to reconcile their world policies, because—in the view of practically the entire non-Soviet world—the Soviet Union was engaged in varied efforts to expand its power and influence and extend its system. Such circumstances gave rise to disputes and situations which engaged the attention of the Security Council and some of its subsidiary bodies almost constantly throughout the year. The Council itself held 168 meetings, an average of well over 3 each week.

The specific problems considered by the Security Council during the year are discussed in detail in part B of this report under "Political and Security Problems". Those involving pacific settlement include the problems of Palestine, Berlin, Indonesia, Kashmir, the *coup d'état* in Czechoslovakia, and Hyderabad. During the year the Council several times had to consider the use of its powers under chapter VII of the Charter. In some cases—those of Palestine, Indonesia, and Kashmir—actual fighting broke out. In these cases, the Council concentrated its efforts at first on the establishment of a cease-fire, through agreement by the parties or, if this was impossible, through an order issued by the Council under chapter VII. Such an order was issued in July in the Palestine case. In cases where it could be maintained, a truce was then utilized by the Council for efforts to bring the parties to agreement on further steps toward peaceful adjustment.

Two major cases posed the "East-West" issue sharply in the Council. In the complaint by Chile that the Communist *coup d'état* in Czechoslovakia in February 1948 resulted from Soviet intervention and threats of force, a proposal to appoint a committee to investigate the

facts in Czechoslovakia was vetoed by the U.S.S.R. . The Berlin case was unique in that it was a complaint by three permanent members—France, the United Kingdom, and the United States—that the conduct of a fourth permanent member—the U.S.S.R.—constituted a threat to the peace. Although the Soviet Union vetoed a compromise resolution proposed by the six members of the Council not involved in the case, the debate clarified for public opinion in many countries the serious and complex issues of the case. At the year's end the six-member neutral group was continuing to explore intensively the possibility of agreement on Berlin's currency and trade.

The efforts of the Council to deal with these problems led during 1948 to further developments in its practice. By common consent the President of the Council, serving in a post which rotates month by month among the representatives, has taken a larger responsibility for guiding the work of the Council. He has acted informally on its behalf as a conciliator between the parties, sometimes with the help of other representatives. This practice was first used in the dispute between India and Pakistan over Kashmir. It was found useful and was further developed into joint efforts by several members under the President's guidance to bring the parties together and, to that end, to prepare an agreed settlement for approval by the Council.

Major problems in other fields which engaged the attention of the Security Council in 1948 related to atomic energy, the reduction and regulation of conventional armaments, the admission of new Members to the United Nations, and the procedure for carrying out the responsibilities of the Security Council in relation to strategic trusteeship areas.

### *Subsidiary Organs*

From its beginning the Security Council has been assisted in its work by subsidiary organs. The Military Staff Committee, composed of representatives of the Chiefs of Staff of the five permanent members, or their representatives, was established under the Charter to advise and assist the Council on matters of a military nature. During 1948 the Council made no call on the Committee for such advice or assistance. The Committee's attention was devoted chiefly to efforts to reconcile its members' divergent provisional estimates of the over-all strength and the composition of the armed forces which should be

made available to the Council on its call. Two semipermanent bodies, the Commission for Conventional Armaments (CCA) and the Atomic Energy Commission (AEC)—the latter an organ established by the General Assembly which reports to the Security Council on security matters—assist it in specific areas of the security field.

As regards peaceful settlement, the work of the Council has required increasingly the use of subsidiary organs, especially commissions to investigate or mediate on the spot. Most of the Council's work in the Indonesian case during 1948 was done through the Good Offices Committee created in 1947. In 1948 the Council created two similar bodies: the Palestine Truce Commission, composed of representatives of Belgium, France, and the United States; and the five-member United Nations Commission for India and Pakistan, composed of the United States, Argentina, Czechoslovakia, Belgium, and Colombia.

### *Voting Procedure*

Throughout 1948 the questions of the proper scope and use of the permanent members' rights of veto were problems of the Council as an operating body. The voting procedures remained unchanged, and the veto was used in five questions—in all instances by the Soviet Union. These vetoes prevented the Council from adopting the decision favored by the large majority of its members in the Czechoslovak and the Berlin cases; on the reports of the AEC; and in the applications of Italy and Ceylon for membership in the United Nations.

The efforts of the great majority of Members of the United Nations, including the United States, to secure the adoption of voting procedures which would put limits on the exercise of the veto so as to carry out the intent of the Charter and to increase the effectiveness of the Security Council were developed further in 1948. Although the Interim Committee of the General Assembly made a useful study of the problem and its *Ad Hoc* Political Committee adopted its conclusions in large part, the U.S.S.R. stubbornly opposed any liberalization of the voting procedure.

In 1947 the practice developed under which the abstention of a permanent member is not considered to be a veto. This practice has become, through further usage, an established part of the custom of the Council. Thus many nonprocedural resolutions for which only some of the permanent members of the Council were willing to cast affirma-

tive votes were nevertheless adopted. To this extent the Council's effectiveness has been increased.

Whatever may be the ultimate outcome of the serious problems with which the Council grappled during 1948, one fact stands out. This fact is the extensive use which states made of the Council in order to attempt solutions of their serious disputes. Despite the difficulties occasioned by the abuse of the veto and by basic disagreements among the permanent members, the Security Council continued its role as the organ primarily responsible for the maintenance of international peace and security.

## ECONOMIC AND SOCIAL COUNCIL

The existence of the Economic and Social Council reflects the vital concern of the Members of the United Nations with the world's economic and social problems and symbolizes their aspirations for economic and social progress. The Charter assigns to the Council—an 18-nation body of which the United States is a member by election of the General Assembly—wide responsibilities with respect to economic, social, cultural, educational, health, human rights, and related matters. The Charter recognizes that progress in these fields is necessary to peaceful and friendly relations among states.

The Economic and Social Council naturally does not and cannot itself carry out the vast range of activities which go to make up the network of economic and social cooperation under the United Nations. The complexity of international economic and social problems in our present-day civilization is such that a number of specialized organizational tools have had to be devised for particular purposes. There are, first, the "specialized agencies" of the United Nations, which are the major operating arms of the United Nations. Each agency has its own sphere of responsibility and set of functions, which are defined for it by a separate constitution legally independent of the United Nations Charter. There are at present 11 specialized agencies: the Universal Postal Union (UPU), the International Telecommunication Union (ITU), the International Labor Organization (ILO), the Food and Agriculture Organization (FAO), the International Monetary Fund (FUND), the International Bank for Reconstruction and

Development (BANK), the International Civil Aviation Organization (ICAO), the World Health Organization (WHO), the United Nations Educational, Scientific and Cultural Organization (UNESCO), the World Meteorological Organization (WMO),<sup>2</sup> and the International Refugee Organization (IRO). The basic instruments of two more agencies are now awaiting action by governments—the International Trade Organization (ITO) and the Intergovernmental Maritime Consultative Organization (IMCO). These new agencies are essential to round out the economic and social structure of the United Nations. In general this report does not cover the accomplishments during the year of each of the specialized agencies except so far as they were the subject of discussion or action by the Economic and Social Council or the General Assembly.

Part of the United Nations proper, yet similar to the specialized agencies by virtue of its specialized operations, is the United Nations International Children's Emergency Fund (UNICEF). The Fund, which is subject to the general authority of the Economic and Social Council and the General Assembly, functions semiautonomously under a 26-nation Executive Board elected by the General Assembly and through a staff responsible administratively to the Secretary-General of the United Nations.

The second set of specialized organizational tools consists of the nine functional commissions of the Economic and Social Council—Human Rights, Economic and Employment, Transport and Communications, Statistical, Fiscal, Population, Social, Status of Women, Narcotic Drugs—and three regional economic commissions for Europe (ECE), Latin America (ECLA), and Asia and the Far East (ECAFE). Each of these commissions, except the Fiscal Commission, held one or more meetings during 1948.

Under the Charter of the United Nations the Economic and Social Council is given the responsibility of coordinating the work of the specialized agencies through procedures of consultation and advice. For this purpose the Council has negotiated relationship agreements between the United Nations and the specialized agencies. The technical commissions, which are directly responsible to the Council, assist the Council in its work.

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<sup>2</sup> At present this organization is an informal body known as the International Meteorological Organization. It will become a formal intergovernmental agency after the necessary number of countries have ratified its new convention, which was drawn up in 1947.

The Council held two sessions in 1948, the Sixth Session, at United Nations headquarters, Lake Success, N. Y., from February 2 to March 11, and the Seventh Session, at the European office of the United Nations, Geneva, Switzerland, from July 19 to August 29. Charles Malik, of Lebanon, served as President of the Council for the year. The substantive results of the Council's deliberations, conducted in more than 100 plenary meetings, are considered in part B of this report. In the organizational field the Council established an additional commission—the Economic Commission for Latin America, with terms of reference similar to those of the other regional commissions—concluded an agreement of relationship with the International Refugee Organization, and approved a draft agreement with the proposed Intergovernmental Maritime Consultative Organization. The only relationship agreements which remain to be negotiated are those with the World Meteorological Organization and the projected International Trade Organization. At its Third Session in Paris the General Assembly asked the Economic and Social Council to expedite its consideration of the establishment of an Economic Commission for the Middle East. This will be taken up by the Council at its Eighth Session in February 1949.

The proper scope of the Council's jurisdiction was brought into question by the action of Yugoslavia in bringing before the Economic and Social Council a claim for the return to it of certain gold reserves held by the United States. These reserves had been retained by the United States pending the settlement of outstanding claims and counterclaims between the two Governments. The Council decided that the matter did not fall within its competence because of the legal issues involved and expressed the hope that the two Governments would settle the dispute as soon as possible. The dispute was later resolved in the claims settlement between the United States and Yugoslavia signed on July 19, 1948.

During the review of the work of the Economic and Social Council by the General Assembly at its Third Session in Paris, a number of speakers dealt with the accomplishments of the Council, its functional and regional economic commissions, and the specialized agencies concerned with economic and financial matters. Some, including the United States Representative, expressed general satisfaction with the work accomplished and in progress; with the nearly completed emergence from the organizational stage to the stage of operations; and with the steps taken to improve coordination of the activities and programs of the specialized agencies and organs of the United

Nations. Many speakers stressed the economic and financial problems of underdeveloped countries in general or with specific reference to certain aspects, such as their failure to obtain adequate financial assistance from the International Bank for Reconstruction and Development or from other sources, including private investors. As a result of this debate the General Assembly adopted resolutions designed to expedite action in the field of economic development.

In the report to Congress for the year 1947 attention was called to the danger in which the Council found itself of being diverted to essentially political debates arising from ideological differences between the Soviet Union and most of the other Members of the United Nations. Unfortunately the tendency to introduce into the deliberations of the Council political arguments not relevant to the matters at hand continued during 1948 in even more pronounced form and materially hindered the constructive work of the Council. Speeches made by the Representatives of the Soviet Union, Byelorussia, and Poland—frequently of a political propagandistic nature—together took up more than one third of the total time used by all 18 members of the Council at its Seventh Session. At the close of the Session there remained for consideration 11 items on the agenda which could not be dealt with for lack of time and which had to be postponed to later sessions.

When the United Nations came into being three years ago, many people felt that the work of the Economic and Social Council in promoting international action to ameliorate economic and social distress would in time prove more important for the peace than the accomplishments of the United Nations in political and security matters. Today some people are disappointed in what the Council has done, or rather has failed to do. There is a noticeable tendency—evident abroad as well as at home—to censure the Council for having produced little in the way of concrete achievement or for having proceeded too slowly in taking up its important tasks.

These criticisms reflect in part a misunderstanding of the nature of the Council's role in the United Nations system and in part a natural desire for quick results. It is important that Americans—and the people of other states Members of the United Nations—acquire a true appreciation of the proper role of the Council in order to judge its performance accurately and avoid an unnecessary sense of defeatism. The Council is not an operating agency possessed of specific powers to accomplish particular, concrete ends. Hence its activities do not lead to "results" in the shape of definite actions to remedy immediate situations. Rather, the Council is primarily an advisory and recom-

mentary body. It is meant to focus attention on problems and to point out to governments and to the specialized agencies the way to their solution—in short, to provide a sense of direction and coherence to world economic and social policies. Ultimately, whatever action is taken must be taken by governments or by the specialized agencies.

One of the most important functions of the Council is its continuing scrutiny of the activities of the specialized agencies to see that they are pulling together as a team and that their cooperative efforts contribute most effectively to the realization of the purposes of the United Nations.

The Council has as yet scarcely begun its substantive work. Many months have had to be spent in setting the stage—in establishing the technical commissions, in working out relationships with the specialized agencies, and in taking many other requisite preparatory steps. It was not until 1948 that the Council was able to devote most of its energies to central questions. For the first time the Council carefully surveyed the world economic situation. Also for the first time the Council reviewed in detail the annual reports of the specialized agencies. A significant development, illustrative of the Council's position of leadership, was its action in calling upon the entire machinery of the United Nations system—governments, specialized agencies, and commissions—to take joint and prompt action to meet the world food crisis.

The United States is confident that the Economic and Social Council can and will become the world forum for focusing attention on key international economic and social problems and proposing constructive solutions for them.

## TRUSTEESHIP COUNCIL

One of the principal aims of the United Nations is the promotion of the well-being and advancement of more than 200,000,000 people who have not yet achieved self-government. These aims, set forth in the Charter "Declaration Regarding Non-Self-Governing Territories," relate to all such people. In addition, part of this total number reside in trust territories to which trusteeship principles of the Charter apply.

Ten trust territories, all formerly under League of Nations mandate, have been placed under the international trusteeship system. These territories contain a total population of approximately 15 million people. The Trusteeship Council, one of the principal organs of the



United Nations, oversees the administration of these trust territories. Like the Permanent Mandates Commission of the League of Nations, the Council examines reports and petitions. Moreover, it sends visiting missions to investigate conditions in the territories under its supervision.

The Trusteeship Council has held three sessions at Lake Success and has sent two missions to trust territories. It now has 12 members, half of which administer trust territories and half of which do not. The six administering authorities are Australia, Belgium, France, New Zealand, the United Kingdom, and the United States; the nonadministering members are China, Costa Rica, Iraq, Mexico, the Philippines, and the Union of Soviet Socialist Republics. Of the latter six, China and the U. S. S. R. are permanent members, while the remaining four are elected for three-year terms by the General Assembly.

The Council meets in regular session twice each year. At these sessions it examines reports submitted by administering authorities on the basis of a questionnaire which it formulated, acts upon petitions from inhabitants of the trust territories and other interested parties, and reviews the reports of its visiting missions.

Nine territories formerly under League of Nations mandate have been placed under the trusteeship system by agreements negotiated between the administering authorities and the General Assembly. A tenth former mandate, now known as the Trust Territory of the Pacific Islands and under United States administration, has been designated a strategic area through an agreement approved by the Security Council. None of these trusteeship agreements can be altered or amended without the consent of the administering authority and the approval of the General Assembly or Security Council. Although the Charter provides that the United Nations itself may administer a trust territory, the 10 trusteeship agreements thus far approved designate Members of the United Nations as administering authorities. As a result the Trusteeship Council plays a supervisory rather than an administrative role in regard to the present trust territories.

Six of the ten trust territories are in Africa. They contain 93 percent of the people under the trusteeship system, some quite primitive and others well advanced. Two thirds of these Africans live in the East African trust territories of Tanganyika, under British administration, and Ruanda-Urundi, under Belgian administration. The trust territories of British Cameroons, British Togoland, French Cameroons, and French Togoland are in West Africa. In the Pacific area are the Trust Territory of the Pacific Islands, under United States administration; New Guinea, administered by Australia; Western Samoa, administered by New Zealand; and Nauru, administered

by Australia on behalf of New Zealand, the United Kingdom, and Australia.

The Trusteeship Council reports on its activities to the General Assembly, which has charged its Fourth Committee with the examination of trusteeship problems. It also cooperates with other United Nations organs and specialized agencies on common problems.

The Trusteeship Council completed most of its organizational work by the end of the Second Session on May 5, 1948, and, upon special request of the General Assembly, drafted a statute for the City of Jerusalem. When the Third Session of the Council opened on June 16, it was ready therefore to undertake its assigned task of supervising the administration of the trust territories. An unexpectedly long session resulted, during which the Council examined in detail reports by the administering authorities on New Guinea, Ruanda-Urundi, and Tanganyika. A special representative of each territory was present to answer questions from Council members. The Council also considered 13 petitions, completed arrangements for sending to East Africa its first regular visiting mission, examined a report on South West Africa referred to it by the General Assembly, and dealt further with a draft statute for Jerusalem.

Although Soviet membership on the Trusteeship Council is provided for in the Charter, a representative of the Soviet Union took his place at the Council table for the first time in April 1948. The effect of Soviet participation was to disrupt the cooperative spirit which had characterized the sessions of the Council during its formative period.

The United States has been an active member of the Trusteeship Council from its beginning. Francis B. Sayre, the United States Representative, served initially as President of the Council, until the third session opened in June 1948, when Liu Chieh of China was elected to succeed him. At first a nonadministering authority, the United States became an administering authority on July 18, 1947, when the trusteeship agreement for the Trust Territory of the Pacific Islands entered into force. Because this territory is a strategic area, the Security Council and the Trusteeship Council are now attempting to work out suitable procedure for the application of the trusteeship system.

In setting standards for the progress of the 15 million inhabitants of the trust territories, the work of the Trusteeship Council cannot but influence the administration of other non-self-governing peoples. The well-being of the latter is the primary concern of the declaration regarding non-self-governing territories contained in chapter XI of the Charter. To promote the principles of this declaration, the Gen-

eral Assembly has established a special committee to examine the information received on the administration of non-self-governing territories and to make appropriate recommendations thereon.

The United States played an important role in formulating the declaration and the two trusteeship chapters of the Charter and has consistently and actively supported the principles upon which the trusteeship system is based. Its record of achievement in the administration of its own non-self-governing territories has continued to receive favorable comment. The influence which the United States has thus gained was used effectively in the discussions of the Trusteeship Council, the Special Committee on Information, and the Fourth Committee of the General Assembly.

## INTERNATIONAL COURT OF JUSTICE

By the Charter, the International Court of Justice is designated the "principal judicial organ of the United Nations". It functions in accordance with a statute which is annexed to, and forms an integral part of, the Charter.

### *Parties to the Statute*

All Members of the United Nations are *ipso facto* parties to the Statute of the International Court of Justice. A state which is not a Member of the United Nations may become a party to the Statute on conditions determined in each case by the General Assembly upon recommendation of the Security Council.

In response to an inquiry of the Swiss Federal Government, the General Assembly, on December 11, 1946, on a recommendation of the Security Council of November 15, 1946, determined the conditions on which Switzerland might become a party to the Statute. The conditions would be fulfilled by deposit with the Secretary-General of the United Nations of an instrument containing: (a) acceptance of the Statute; (b) acceptance of all the obligations of a Member of the United Nations under article 94 of the Charter; and (c) an undertaking to contribute to the expenses of the Court such equitable amount as the General Assembly shall assess from time to time after consultation with the Swiss Government. On July 28, 1948, the Swiss Fed-

eral Council, duly authorized, deposited an instrument dated July 6, 1948, declaring that the Swiss Confederation accepted the three conditions. The General Assembly on October 8, 1948, adopted without objection the recommendations of the Security Council laying down the formal conditions for the participation of such nonmember states in the election of the judges of the Court. Switzerland, accordingly, participated in the election held at the Third Regular Session of the General Assembly.

### *Cases Before the Court*

During the year the International Court of Justice gave an advisory opinion on a question relating to admission of new Members which had been requested by the General Assembly at its Second Regular Session in 1947. In effect the Court said that a Member of the United Nations called upon to express itself on the admission of an applicant state for membership was not juridically entitled to make its consent dependent on conditions not expressly provided by the membership article of the Charter.

The *Corfu Channel* case was also before the Court during 1948. The case arose out of the fact that on October 22, 1946, two British destroyers struck mines in Albanian territorial waters in the Corfu Channel. The explosions caused damage to the vessels and loss of life. Certain preliminary questions were disposed of by the Court during the year. In November, at The Hague, the Court opened public hearings on the merits of the case.

### *Compulsory Jurisdiction*

In 1948 the following states accepted general compulsory jurisdiction of the Court (in some instances a renewal of a previously existing declaration), as provided in article 36, paragraph 2, of the Statute: Belgium, Bolivia, Brazil, Honduras, Pakistan, and Switzerland.

### *Election of Judges*

On October 22, 1948, the General Assembly and the Security Council, by an absolute majority of votes, re-elected the following five judges of the Court, whose initial terms of three years expire February 5, 1949: Abdel Hamid Badawi Pasha of Egypt, Hsu Mo of China, John Erskine Read of Canada, Bohdan Winiarski of Poland, and Milovan Zoricic of Yugoslavia.

## SECRETARIAT

The success of the United Nations is in the hands of its Members, working together through the General Assembly, the Councils, and the International Court. The role of the Secretariat in achieving success, while subordinate, is by no means passive and is an indispensable factor. Without conscientious service by the Secretariat the organization would be paralyzed. The Secretariat cannot resolve basic differences among Members in the General Assembly and in the Councils. That is not its task. But it can prepare the way for and facilitate discussions and negotiations and assist in the carrying out of recommendations and decisions.

The Secretariat is one of the six principal organs of the United Nations. It is the central point of contact on United Nations affairs between Members themselves, between Members and the principal organs, between the public and the organization, and between the organization and the specialized agencies.

The Secretary-General, Trygve Lie of Norway, is the chief administrative officer. He and his staff provide secretariat services for the other principal organs, except for the International Court of Justice, which has its own administrative body at The Hague known as the "Registry".

The staff of the Secretariat may be regarded as an international civil service, resembling in many respects the permanent career service of a national government. Nationals of about sixty countries including a few nonmember countries are employed in the Secretariat. During 1948 the total number of employees increased from approximately 3,600 to about 3,980—an increase due primarily to the staffing of overseas offices. The headquarters staff in New York increased from 3,000 to 3,044. The staff is comprised of persons with a wide variety of training and skills and includes political scientists, historians, economists, lawyers, journalists, mimeograph operators, translators, librarians, and secretaries, as well as general administrators.

The Secretariat differs in two important aspects from the career services of national governments. A unique characteristic of the Secretariat is that its staff is drawn from all over the world and represents diverse cultures and customs. This basic characteristic creates problems which are not encountered in a national civil service whose staff is drawn from a fairly homogeneous group.

The second marked difference between the Secretariat and national administrations is the fact that staff members are bound by an oath of loyalty to a nonnational body. In the performance of their duties

the Secretary-General and his staff are proscribed by the Charter from seeking or receiving instructions from any government or from any other authority external to the United Nations, and each Member has agreed to respect the exclusively international character of the responsibilities of the Secretary-General and his staff and not to seek to influence them in the discharge of their responsibilities.

The oath of loyalty to the United Nations is, of course, not inconsistent with an individual's loyalty to his own government. A member of the staff serves the highest interests of his own country best by faithfully working for the success of the United Nations. The efficiency and success of the organization are hampered to the degree that the loyalty of an employee toward the United Nations is open to doubt, either on the part of other staff members or on the part of Member governments.

The United Nations Charter stipulates that the paramount consideration in the employment of personnel "shall be the necessity of securing the highest standards of efficiency, competence, and integrity", due regard being paid to the "importance of recruiting the staff on as wide a geographical basis as possible". As reported last year, the General Assembly in 1947 requested the Secretary-General to review the qualifications of the existing staff with a view to replacing those who did not reach the high standards fixed by the Charter and to take all practical steps to insure the improvement of the then existing geographical distribution of the staff. The Secretary-General reported progress to the Third Session of the General Assembly with respect to both of these considerations.

Geographical distribution is a consideration only for the so-called "internationally recruited" staff, i.e. persons serving in the top 12 of the 19 grades. Except for posts which require special language qualifications, the first 7 grades are recruited on a local or noninternational basis. The Secretary-General reported that, whereas in 1946 nationals of the 11 most substantially represented Members comprised 84 percent of the internationally recruited staff and in August 1947 comprised 80 percent of such staff, by September 1948 the proportion had decreased to 71 percent. Thirty-one countries out of 57 were clearly underrepresented on the Secretariat in 1947, whereas by September 1948 only 7 members out of 58 could be regarded as being underrepresented.

"Overrepresentation" and "underrepresentation" are, of course, arbitrary concepts based on a preconceived formula. The Secretariat has devised a formula which adopts the percentage scale of Member contributions to the organization as a rough guide to the desired percentage of nationals from any one country. This formula contains provision

for variations which are necessary to insure the flexibility essential to good administration and to assure that it is not applied in any case at the expense of the personal and professional qualifications which are fixed by the Charter.

## *Functions*

The Secretariat has four major tasks. The first, an undramatic but vital responsibility, is the servicing of meetings of the other principal organs (except the International Court of Justice) and of their many subsidiary bodies. For the period July 1, 1947, to June 30, 1948, the Secretariat arranged for and serviced about 3,200 meetings for more than 100 United Nations bodies, plus about 1,800 meetings in Geneva, where it maintains a branch office. Such service includes the provision of physical arrangements and of such technical services as translating and interpreting, the preparation of minutes of the meetings, and the procuring of documentation. The Department of Conference and General Services produced 220,000,000 impressions of more than 27,000 documents. The Secretariat is also called upon to provide services and expert staff for the increasing number of operating commissions, such as the Commission for India and Pakistan, the Conciliation Commission for Palestine, and the Trusteeship Council's missions to trust territories.

The second task of the Secretariat, the preparation of studies and background material for meetings of the several organs and their subsidiary bodies, is an important function. These papers are circulated to Members in advance, when practicable, for the assistance of the representatives of governments in discussing the questions at issue.

In exercising its third function, the Secretariat is the executive agent of the other principal organs. For example, the Secretary-General negotiated the agreement with the United States Government for the loan for the construction of the permanent headquarters in New York. It is he who is charged with the direction and administration of the relief program for Palestine refugees. And he plays an important role in the development of arrangements with specialized agencies for the coordination of activities and administrative and financial practices.

A fourth major function is to give information concerning the purposes and daily activities of the United Nations. The Department of Public Information utilizes the services of the press, radio, and other mass media, prepares and distributes pamphlets and posters, and provides speakers and assistance for private groups here and abroad. Information centers are located in several foreign capitals.

## *Organization*

The Secretary-General is assisted by eight Assistant Secretaries-General, each of whom is in charge of a major department in the Secretariat. The departments and Assistant Secretaries are as follows:

- Department of Security Council Affairs, A. A. Sobolev (U.S.S.R.)
- Department of Economic Affairs, David Owen (United Kingdom)
- Department of Social Affairs, Henri Laugier (France)
- Department of Trusteeship and Information from Non-Self-Governing Territories, Victor Hoo (China)
- Department of Public Information, Benjamin Cohen (Chile)
- Department of Conference and General Services, Adrian Pelt (Netherlands)
- Department of Administrative and Financial Services, Byron Price (United States)
- Legal Department, Ivan Kerno (Czechoslovakia)



PART B

The United Nations  
In World Politics, 1948



## POLITICAL AND SECURITY PROBLEMS

**P**OLITICAL and security problems of varied character occupied the attention of the Security Council and the General Assembly during 1948. These specific problems are, for convenience in presentation, grouped into the following general categories: security problems, efforts at peaceful settlement of disputes and situations, and organizational problems of a political nature.

### *Security Problems*

#### INTERNATIONAL CONTROL OF ATOMIC ENERGY

In 1948 there were two significant developments in the United Nations negotiations for international control of atomic energy. The first was the General Assembly approval of the plan of international control developed in the United Nations Atomic Energy Commission during its two years of work. The second was the clear recognition of the impasse in these negotiations created by the refusal of the Soviet Union to accept this plan—the only workable and effective system of control it has been possible to devise.

In its First Report to the Security Council, dated December 31, 1946, the Commission presented proposals and general principles with respect to the establishment of a system for the international control of atomic energy. In its Second Report, dated September 11, 1947, the Commission presented specific proposals covering the operational and developmental functions of a proposed international control agency.

In voting for the "General Findings and Recommendations" of the First Report and the "Specific Proposals" of the Second Report, the General Assembly in 1948 found that these proposals constitute "the necessary basis for establishing an effective system of international control of atomic energy to ensure its use only for peaceful purposes and for the elimination from national armaments of atomic weapons in accordance with the terms of reference of the Atomic Energy Commission".

In the Political and Security Committee (First Committee) of the General Assembly and in the plenary session, 46 member governments voted to approve the plan and proposals of the United Nations Atomic Energy Commission for the control of atomic energy and the prohibition of atomic weapons. These governments expressed deep concern at the impasse reached in the work of the United Nations Atomic Energy Commission as shown in its Third Report, which states: ". . . in the field of atomic energy, the majority of the Commission has been unable to secure the agreement of the U.S.S.R. to even those elements of effective control considered essential from the technical point of view, let alone its acceptance of the nature and extent of participation in the world community required of all nations in this field by the First and Second Reports of the Atomic Energy Commission." Only the six members of the Soviet bloc voted against these reports.

### Reconsideration of Soviet Proposals

The Soviet Union had introduced proposals for control on June 11, 1947. These were given prolonged consideration by the United Nations Atomic Energy Commission. This consideration took place in connection with the development of the specific proposals of the Second Report and throughout a number of meetings of the Commission in 1948. On April 5, 1948, the Working Committee of the Atomic Energy Commission adopted a report analyzing these proposals which found that they "ignore the existing technical knowledge of the problem of atomic energy control, do not provide an adequate basis for the effective international control of atomic energy and the elimination from national armaments of atomic weapons, and therefore, do not conform to the terms of reference of the Atomic Energy Commission."

The Working Committee also concluded that "no useful purpose can be served by further discussion of these proposals in the Working Committee."

### Third Report of Atomic Energy Commission

In the winter and spring of 1948 the majority members of the Atomic Energy Commission, after prolonged and repeated efforts, were forced to recognize that the Soviet Union was unwilling to accept any of the basic elements of control considered necessary by the majority. It became evident, in the words of the Third Report, "that agreement on effective measures for the control of atomic energy is itself dependent on co-operation in broader fields of policy." The Commission was

confronted by virtually the same deadlock that stultified its initial discussions. The Commission concluded that—

“The failure to achieve agreement on the international control of atomic energy arises from a situation that is beyond the competence of this Commission. In this situation the Commission concludes that no useful purpose can be served by carrying on negotiations at the Commission level.

“The Commission, therefore, recommends that until such time as the General Assembly finds that this situation no longer exists, or until such time as the sponsors of the General Assembly Resolution of 24 January 1946, who are the permanent members of the Atomic Energy Commission, find, through prior consultation, that there exists a basis for agreement on the international control of atomic energy, negotiations in the Atomic Energy Commission be suspended.”

The Commission recommended that its three reports be transmitted to the next regular session of the General Assembly “as a matter of special concern”.

Nine of the eleven members of the Commission, including the United States, approved these conclusions and recommendations.

## Security Council Consideration of Three Reports

On June 22, 1948, the Security Council voted upon a resolution introduced by the United States which would have approved the plan of the Atomic Energy Commission embodied in the First and Second Reports and the recommendations, notably for suspension of the AEC work, of the Third Report. The resolution also directed the Secretary-General to submit to the General Assembly and the Member nations the three reports of the AEC, together with the record of the Security Council's approval thereof. Although nine members of the Security Council voted in favor of this resolution, it was vetoed by the Soviet Union. Following this vote, a Canadian resolution simply calling for a transmittal of the reports of the United Nations Atomic Energy Commission to the General Assembly as a matter of special concern was adopted by a vote of nine in favor, with two abstentions (the Soviet Union and the Ukraine).

## General Assembly Consideration of Atomic Energy Control

The Secretary of State, in addressing the plenary session of the General Assembly on September 23, 1948, called for the “early adoption of an international system for the control of atomic energy, providing for the elimination of atomic weapons from national armaments, for

the development of atomic energy for peaceful purposes only, and for safeguards to insure compliance by all nations with the necessary international measures of control."

The international control of atomic energy was the first item considered by the Political and Security Committee of the General Assembly. At the first meeting of the Committee, on September 30, 1948, the Canadian Delegation introduced a resolution similar to that which had received majority support in the Security Council on June 22. The question was actively considered by the First Committee, or by a subcommittee of the First Committee, from September 30 to October 20, 1948, with the committee holding 15 meetings and the subcommittee 8 meetings.

In the debate in the Political and Security Committee, Warren R. Austin, the United States Representative, pointed out that, from the day on which the first bomb was dropped, the United States had moved with speed to get international control of atomic energy in order to eliminate the menace of atomic warfare. Moreover, the offer of the United States to submit its atomic-energy resources and facilities to an effective system of international control still stands. Only through an international system of control with effective enforceable safeguards can long-term security be insured. This is why the United States is anxious for control. Ambassador Austin stated that this is a policy of the people of the United States as evidenced by actions of the Congress. The majority of members of the UNAEC agree, he said, that the international agency must own all nuclear fuel and must own, operate, and manage all atomic facilities which might endanger international security. Failure in the UNAEC to make swift progress was not due to lack of effort by the large majority of UNAEC members, but rather to Soviet Union insistence on placing its sovereignty ahead of the security and survival of all. The impasse in the UNAEC could be broken only if the overwhelming majority of the General Assembly supported the majority plan and thus aroused world opinion, which in turn would focus attention on the necessity for a new spirit of cooperation among all nations.

In the committee meetings the Soviet Union was reckless in its denunciation of the majority plan of control. It then introduced a resolution stating that the activities of the Atomic Energy Commission had "not so far yielded positive results" and recommended that the Atomic Energy Commission "prepare a draft convention for the prohibition of atomic weapons and a draft convention on the establishment of effective international control over atomic energy, both the convention on the prohibition of atomic weapons and the convention on the estab-

lishment of international control over atomic energy to be signed and brought into operation simultaneously.”

The principal arguments of the Soviet Union against the Atomic Energy Commission's plan appeared to the majority to be without foundation. The Soviets claimed that the plan does not provide for the prohibition of atomic weapons. The plan clearly provides for prohibition in explicit terms as an integral part of the treaty establishing international control. The Soviets claimed that the United Nations plan would create a giant monopoly controlled by the United States. There is nothing in the plan to justify such a claim. On the contrary the plan provides for the establishment of an international control agency in which the United States would have but one vote and no veto. The Soviet Union claimed that acceptance of the plan would be a derogation of its sovereignty. This is true but is inherent in the solution of the problem. The Third Report of the Commission states, “In the face of the realities of the problem it [the Commission] sees no alternative to the voluntary sharing by nations of their sovereignty in this field to the extent required by its proposals.”

The General Assembly found no evidence that the Soviet Union was prepared to accept any effective international controls. The Soviet resolution was defeated by the General Assembly in the Committee and subsequently in plenary session on November 4, 1948. Six votes were cast in favor, forty against, and there were five abstentions.

The Canadian resolution, which had been supported by the United States, was considerably modified as a result of the strong feeling of a number of the smaller nations that somehow the Atomic Energy Commission must be reconvened. On October 20, 1948, the Committee approved a resolution by 41 to 6 (10 abstentions) recommending that the General Assembly approve the AEC plan “as constituting the necessary basis for establishing an effective system of international control of atomic energy to ensure its use only for peaceful purposes and for the elimination from national armaments of atomic weapons in accordance with the terms of reference of the Atomic Energy Commission.” The Assembly would also express “its deep concern at the impasse which has been reached in the work of the Atomic Energy Commission as shown in its third report” and would regret that unanimous agreement had not yet been reached. According to the resolution approved by the Committee, the Assembly “requests the six sponsors of the General Assembly resolution of 24 January 1946, who are the permanent members of the Atomic Energy Commission, to meet together and consult in order to determine if there exists a basis for agreement on the international control of atomic energy to ensure its

use only for peaceful purposes and for the elimination from national armaments of atomic weapons, and to report to the General Assembly the results of their consultation not later than its next regular session." Meanwhile the General Assembly "calls upon the Atomic Energy Commission to resume its sessions, to survey its programme of work, and to proceed to the further study of such of the subjects remaining in the programme of work as it considers to be practicable and useful."

This resolution was approved in plenary session of the General Assembly on November 4, 1948, by a vote of 40 to 6, with 4 abstentions. Of the 8 Members absent at the time of this vote, 6 had voted in favor of the resolution in the First Committee, making a total of 46 Members in favor of this resolution.

The United States voted in favor of this resolution. In the plenary session on November 3, 1948, Ambassador Austin reiterated the consistently maintained policy of the United States that atomic weapons must be removed from national armaments through effective international control: "We are continuing a policy to which the people of the United States have been committed since the beginning of the Atomic Age."

To illustrate, Ambassador Austin referred to various actions looking toward international control initiated by the United States within the first year of the atomic age, to the relationship of domestic to international control as provided for in the Atomic Energy Act of 1946, and to the provision of the United States Senate resolution of June 11, 1948, which calls for "maximum efforts to obtain agreement among member nations upon universal regulation and reduction of armaments under adequate and dependable guaranty against violation."

In addition, Ambassador Austin said that it was the desire of the United States that the consultations called for in paragraph 3 of the resolution should be "principally concerned with the cause of the Soviet Union's finding itself at present unwilling or unable to take a cooperative part with other nations in the necessary measures for the maintenance of peace." He added that "the United States will do its share to carry out this mandate of the General Assembly in such a way as to advance, by every possible means, toward our common goal of control, and elimination from national armaments, of this dangerous weapon."

In concluding he stated that "what is needed is that the mandate of the General Assembly should be expressed in clear and unequivocal terms. The General Assembly has now an opportunity to approve this resolution by the vote of an overwhelming majority of its members. In doing so, the Assembly would add to the opinion of its Atomic Energy Commission the moral power of its carefully considered judg-



ment. It would provide a new lever by which new forces of cooperation could be activated. It would stimulate the faith of uncounted millions of anxious people that the United Nations can and will persevere, however complex the differences, to the pacific solution."

The day following Ambassador Austin's speech, the Soviet Representative rejected the idea of consultations in sharp language, stating that there is no basis for consultations and that "these consultations are unnecessary." If the Soviet Union persists in this attitude, the consultations called for in the resolution can hardly be fruitful.

In view of the complexity of the problem of atomic-energy control and of the abandonment of national sovereignty in this field which adoption of the plan would require from each nation, the area of agreement reached by General Assembly approval of the plan constitutes an outstanding achievement. It is not only an endorsement of the Commission's plan as constituting the necessary basis for agreement. The plan of the 12-government UNAEAC has now become the United Nations plan. The General Assembly action in approving the resolution constitutes a world-wide judgment that the Soviet proposals are inadequate and thus unacceptable. It confirms what the Atomic Energy Commission had already determined—that there can be no effective control of atomic energy as long as the Soviet Union refuses to take an open and cooperative part in the world community. Finally, it establishes a firm foundation upon which future work looking toward international control must be based.

The United Nations plan of control meets the conditions of the long-standing offer of the United States to give up its atomic weapons and plants, and all its knowledge in this field, provided that a system of international control be set up, so that when the United States disposes of its atomic weapons, it will not be possible for any nation to make or use atomic energy for destructive purposes. This offer still stands.

## REGULATION AND REDUCTION OF CONVENTIONAL ARMAMENTS

The slight progress made during 1948 in the Commission for Conventional Armaments was but another unhappy illustration of the impasse in the United Nations between a large majority of the Member nations and the Soviet bloc. The crux of the difficulty was clearly demonstrated in the discussions of the Commission and in the General Assembly by the frank admissions of lack of confidence and security. This served to underscore the statement of the prospects of the Commission set forth in the 1947 *Report to the Congress on the United*

*Nations*: "No early solution of the conventional-armaments problem appears likely."

Ambassador Austin outlined the dilemma confronting the United Nations in his speech before the First Committee of the General Assembly in Paris on October 12, 1948:

"I call your attention also to the fact that the principles considered essential by nine of the eleven members of the Commission for Conventional Armaments also call for a system of adequate safeguards which, by including an agreed system of international supervision, would insure the observance of the provisions of the resolution or convention by all parties. These . . . must precede the initiation of any disarmament.

"The crucial aspect of this question is the steadfast refusal of the Soviet Union, in the study of atomic-energy control and in the field of conventional armaments, to agree in common with other members to the opening of its territory to representatives of the United Nations so that they might determine whether the agreements are being carried out.

"Does any member of this committee think for a moment that the Members of the United Nations should disarm while the Soviet Union gives no evidence whatsoever that it is willing to participate in the world community to the extent required for the control of atomic energy and the regulation of armaments?"

## Action in Commission for Conventional Armaments

The Commission for Conventional Armaments was established by resolution of the Security Council on February 13, 1947, pursuant to the recommendation of the General Assembly that "prompt consideration" be given "to formulating the practical measures . . . essential to provide for the general regulation and reduction of armaments and armed forces". In carrying out the recommendation of the General Assembly the Security Council is meeting responsibilities under article 26 of the Charter of the United Nations for formulating "plans . . . for the establishment of a system for the regulation of armaments".

The activities of the Commission during the year 1948 were primarily devoted to efforts to formulate a statement of principles relating to the regulation and reduction of conventional armaments and armed forces. Preparation of this statement is called for by item 2 of the plan of work of the Commission approved by the Security Council on July 8, 1947.

The Commission on August 12, 1948, by a vote of 9 to 2 (U.S.S.R. and Ukraine) adopted a resolution to the effect that (1) a system for

the regulation and reduction of conventional armaments and armed forces should provide for the adherence of all states and initially should include all states having substantial military resources; (2) it can only be put into effect in an atmosphere of international confidence and security; (3) examples of conditions essential to such confidence and security are (a) the establishment of an adequate system of agreements under article 43 of the Charter, (b) the international control of atomic energy, and (c) the conclusion of the peace settlements with Germany and Japan; (4) a system for the regulation and reduction of armaments and armed forces should provide for the least possible diversion for armaments of the world's human and economic resources; (5) it must include an adequate system of safeguards which functions under international supervision to insure the observance of the provisions of the treaty or convention and which (a) is technically feasible and practical, (b) is capable of detecting promptly the occurrence of violations, and (c) causes minimum interference with the economic and industrial life of individual nations; and (6) provision must be made for effective enforcement action in the event of violations.

Throughout the discussion of this resolution the Soviet Union and the Ukrainian S.S.R. persistently attacked the majority position, challenging the need for establishing international confidence and security before the regulation and reduction of conventional armaments and armed forces could be put into effect. They also repeatedly insisted, despite the terms of reference of the Commission for Conventional Armaments which exclude it from considering matters relating to the control of atomic energy, that their proposals for the prohibition of atomic weapons should be taken up by the Commission for Conventional Armaments.

The United States gave its strong support to the CCA resolution on item 2 (principles). Frederick Osborn, Deputy Representative of the United States on the Commission, restated the position declared by Secretary Marshall to the Second Session of the General Assembly<sup>1</sup> that—

“We believe it is important not to delay the formulation of a system of arms regulation for implementation when conditions permit.”

Mr. Osborn emphasized, however, that—

“The work of this Commission has continued to be hampered by ‘demagogic appeals and irresponsible propaganda’. We cannot but note regretfully that the Soviet system of obstructionism in this Commission is the same as that employed by them in the Atomic Energy

<sup>1</sup> Sept. 17, 1947.

Commission. Nevertheless, the United States believes that the Commission must proceed with its work."

The Commission on August 17, 1948, approved a draft progress report to the Security Council with the understanding that the draft would become final in the absence of a request by any delegation before September 15 for the Commission to consider the revision of the text. Just prior to the date agreed upon the Soviet Union informed the Secretariat that it could not accept the draft progress report. Because of the pending opening of the General Assembly, the next meeting of the Commission could not be held, and therefore the report could not be officially transmitted to the Security Council.

### Action in General Assembly

As in the case of the 1946 session of the General Assembly, the major propaganda theme of the Soviet Union at the 1948 session was disarmament. And as in the case of the 1946 meeting, the Soviet Union had not placed the question on the agenda prior to the opening of the session. In his opening address before the General Assembly, the Delegate of the Soviet Union accused the United States and the United Kingdom of preparing for aggressive war against the Soviet Union and introduced a resolution "for the purpose . . . of removing the menace of a new war which is being fomented by expansionists . . .", calling for the prohibition of atomic weapons, the reduction of the armaments and armed forces of China, France, the United Kingdom, the United States, and the Soviet Union by one third within one year's time, and the establishment within the framework of the Security Council of a control commission to supervise the carrying out of these proposals.

Acceptance of the Soviet proposals would manifestly operate against effective disarmament. The demand for prohibition of atomic weapons was accompanied by no plan of control. In addition, its acceptance would have had the effect of discarding the plan of control developed by the Atomic Energy Commission and approved by the General Assembly. Despite intensive questioning by other delegations, the Soviet representatives failed to specify the nature of the safeguards which would be established to protect states which might agree to disarm under the proposal. In this connection, Sir Hartley Shawcross of the United Kingdom Delegation inquired: "Will Mr. Vyshinsky give us a series of proposals that mean adequate verification, adequate inspection for any disarmament proposals? Will he give this Committee a series of proposals which would persuade the people of the world that Soviet Russia is in earnest and has nothing to hide?" Evasive Soviet replies to intensive questioning also

made it clear that the Soviet proposals were designed primarily for propaganda purposes. The Soviet proposal for one-third reduction was exposed by the Representative of the United Kingdom as a "rough and unjust system of quantitative disarmament", which took no account of existing disparity in levels of armaments, the great post-war reductions made by the United States and the United Kingdom, or the lack of security afforded France by her present level of armaments.

Speaking before the First Committee of the General Assembly on November 11, 1948, Mr. Osborn said:

"It is our understanding from published figures which the Soviet Union has not denied, that the Soviet Union has under arms at the present time forces totaling around four million men, and its associated states another two million. . . .

"The Soviet states apparently have available combat troops at least five times more numerous than those of all Western European states put together. . . .

"A reduction of one third would not change the disproportion in Soviet armies. So it would not relieve the anxieties of other nations. If the reduction in Soviet armies were to be carried out in secret behind the Soviet borders it would not remove from other nations the element of suspicion which is such a bar to peace.

"The Soviet proposal for a reduction of one third in the armaments of the five major powers without any verification . . . would perpetuate the present Soviet superiority in aggressive forces. It would not reduce the threat of Soviet aggression; it might indeed increase that threat."

Unlike the Soviet proposals of 1946, this proposal was found unacceptable even as a basis upon which a compromise resolution could be constructed. There was no move, therefore, to amend the Soviet resolution. The United States had initially favored resolutions which would call attention to the Soviet obstructive tactics in the United Nations work on armaments and would recommend that CCA continue its work. Various other resolutions on the subject of the regulation and reduction of armaments were presented but were subsequently withdrawn in favor of a French resolution as amended by Belgium, to which the United States gave its support. This resolution was approved on November 19, 1948, by the General Assembly by an impressive majority of 43. Only the Soviet bloc opposed it.

The resolution of November 19, 1948, recognizes that the "aim of the reduction of conventional armaments and armed forces can only

be attained in an atmosphere of real and lasting improvement in international relations". It considers, however, that international confidence would be greatly encouraged if verified data on the conventional armaments and armed forces of all states were available. Accordingly it recommends that study be continued on the regulation and reduction of armaments and armed forces and calls for first attention to be given to formulating proposals for the receipt, checking, and verification by an international agency of control of information with regard to conventional armaments and armed forces.

## Future

The sponsors of the resolution took the position that the information made available by such an international agency would provide a necessary factual basis for the intelligent development of proposals for the regulation and reduction of conventional armaments and armed forces. On November 19, 1948, in the plenary session of the General Assembly, John Foster Dulles said that "The United States Delegation hopes that the . . . resolution will be . . . implemented during the coming year" and that while it "will represent work that is perhaps unspectacular . . . it will be honest work and it will provide a solid foundation upon which, next year, this Assembly can proceed to erect further indispensable parts of the structure of peace."

## AGREEMENT TO MAKE ARMED FORCES AVAILABLE TO SECURITY COUNCIL

Under article 43 of the Charter all Members of the United Nations have undertaken to make available to the Security Council, on its call, armed forces, assistance, and facilities necessary for the purpose of maintaining international peace and security. The Security Council on February 16, 1946, directed the Military Staff Committee to examine article 43 from the military point of view and submit any resulting recommendations. The report which the Military Staff Committee submitted in April 1947 in response to this request revealed important divergencies of view between the United States, China, France, and the United Kingdom on the one hand and the Soviet Union on the other.<sup>2</sup>

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<sup>2</sup> For a statement of the most important divergencies, see *The United States and the United Nations; Report by the President to the Congress for the Year 1947*, Department of State publication 3024, pp. 105-106.

Security Council action on this report awaits completion. However, during the extensive debate which took place in 1947 the Soviet Representative indicated plainly that the Soviet Union does not intend to modify its position on the basic principles and that it considers acceptance of its views to be a prerequisite to starting negotiation of the special agreements called for by article 43. Nevertheless, the United States is continuing to study further suggestions for dealing with this problem.

During 1948 the Military Staff Committee continued its consideration of the over-all strength and the composition by types of the forces which should be made available. In July the Committee informed the Council that the Committee could go no further with that task until the Council had completed its action on the 1947 report. Beyond stating that unanimity had not been reached, the Committee did not submit to the Council or make public any other information about the results of its consideration of over-all strength and composition.

## *Efforts at Peaceful Settlement*

### PALESTINE, 1948

#### Assembly's Plan of Partition With Economic Union

The year 1947 had closed with the General Assembly having adopted on November 29 a resolution on the future government of Palestine which provided for the partition of the country between separate Jewish and Arab states, bound together by a system of economic union, with an international area for Jerusalem. In order to take account of ethnological factors, Palestine under this plan was divided between Arab and Jewish areas by a system of intersecting hour-glass frontiers.

The year 1948 opened with the governments and peoples of the Arab world insisting that no recognition could be given to the validity of the General Assembly's recommendation and that the Arabs would never accept a system of partition in Palestine with economic union. Meanwhile, on the Jewish side, there was a demand that the provisions of the General Assembly's resolution be promptly fulfilled, if necessary by the use of forces supplied by the United Nations.

The United Nations Palestine Commission, established under the resolution of November 29, 1947, made five reports on its endeavors to carry out the mandate imposed on it by the General Assembly. This was, in brief, to establish temporary governments in Arab and Jewish Palestine and to facilitate the transition from these provisional

regimes to permanent Arab and Jewish state authority. It became increasingly evident from the reports of the Palestine Commission to the Security Council that, owing to the intransigence of the Arab governments and the Arab population of Palestine, it would be impossible for the Commission to fulfil its duties unless the Security Council should compel the parties to agree to the provisions of the resolution of November 29, 1947.

Meanwhile fighting between the Jewish and Arab elements in Palestine continued with ever-mounting violence. According to the Palestine Commission's first special report to the Council on the problem of security in Palestine, dated February 16, 1948, in the period from November 30, 1947, to February 1, 1948, 869 persons had been killed and 1,909 wounded.

The Palestine Commission pointed out that without the assistance of an armed force it would be unable to carry out the tasks assigned it by the Assembly's resolution of November 29, 1947. In consequence, the Commission referred to the Security Council—

“. . . the problem of providing that armed assistance which alone would enable the Commission to discharge its responsibilities on the termination of the Mandate, because it is convinced that there is no step which it can take under the resolution of the Assembly to improve the security situation in Palestine between now and the termination of the Mandate.”

Faced with the question of what further steps the Council could take under the circumstances, the United States Representative on the Security Council on February 24, 1948, stated:

“The Security Council is authorized to take forceful measures with respect to Palestine to remove a threat to international peace. The Charter of the United Nations does not empower the Security Council to enforce a political settlement whether it is pursuant to a recommendation of the General Assembly or of the Council itself.

“What this means is this: The Council under the Charter can take action to prevent aggression against Palestine from outside. The Council by these same powers can take action to prevent a threat to international peace and security from inside Palestine. But this action must be directed solely to the maintenance of international peace. The Council's action, in other words, is directed to keeping the peace and not to enforcing partition.”

The Security Council on March 5 adopted a resolution calling on the permanent members of the Council (China, France, the



United Kingdom, the United States, and the Soviet Union) to consult and report within 10 days on the situation with respect to Palestine and regarding the guidance and instructions which the Council might usefully give to the Palestine Commission with a view to implementing the resolution of the General Assembly.

There ensued an active period of consultation in which the views of the Jewish Agency for Palestine and the Arab Higher Committee, which spoke for the Arab population of Palestine, were taken into careful consideration. On March 19 the American Representative pointed out that the Palestine Commission, the Mandatory Power, the Jewish Agency, and the Arab Higher Committee had indicated that the partition plan could not be implemented by peaceful means under present conditions and that, if the mandate should be terminated prior to a peaceful solution of the problem, large-scale fighting between the two communities could be expected.

### United States Proposes Temporary Trusteeship

In the light of these facts, the United States Representative informally proposed that a temporary trusteeship for Palestine should be established under the Trusteeship Council of the United Nations, to maintain the peace and to afford the Jews and Arabs of Palestine further opportunity to reach an agreement regarding the future government of that country. Such a United Nations trusteeship would be without prejudice to the character of the eventual political settlement. He advocated that the Security Council request the Secretary-General to call a special session of the General Assembly to consider this proposal. Meanwhile, the Security Council should fulfil its inescapable responsibility to take steps necessary to bring about a cease-fire in Palestine and a halt to the incursions being made into that country. As a corollary of these proposals the United States suggested that the Security Council instruct the Palestine Commission to suspend its efforts to implement the proposed partition plan.

The President followed up this proposal by a public statement on March 25 in which he said that, although this country vigorously supported the plan for partition with economic union, it had become clear that the partition plan could not be carried out at this time by peaceful means. We could not undertake to impose this solution on the people of Palestine by the use of American troops, either on Charter grounds or as a matter of national policy. Since the United Kingdom had announced its firm intention to abandon its mandate in Palestine on May 15, it seemed evident that, unless emergency action

were taken, large-scale fighting would be the inevitable result and this fighting would infect the entire Middle East and lead to consequences of the gravest sort involving the peace of the Middle East and of the world. It was for these reasons that the United States had proposed a temporary trusteeship agreement which would not prejudice the character of the final political settlement.

On March 30 the United States Representative on the Security Council submitted two resolutions, one calling upon the Jewish Agency and the Arab Higher Committee to send representatives to meet with the Council for the purpose of arranging a truce between the Arab and Jewish communities in Palestine and calling upon the Arab and Jewish groups in that country to cease acts of violence immediately, and the other requesting the Secretary-General to convoke a special session of the General Assembly to consider further the question of the future government of Palestine. These resolutions were adopted by the Security Council at its 277th meeting on April 1, 1948.

### Special Assembly Session

The Secretary-General promptly convoked a special session of the General Assembly, which met at Flushing Meadows on April 16, 1948. The Security Council assembled on the same day to consider the problem of maintaining peace in Palestine and in the early morning hours of April 17 adopted a resolution calling upon all persons and organizations in Palestine, and especially the Arab Higher Committee and the Jewish Agency, to cease all military activities and acts of violence, to refrain from bringing military personnel or war material into the country, and to refrain, pending the General Assembly's further consideration of the future government of Palestine, from any political activity which might prejudice the rights, claims, or position of either community.

The fighting in Palestine continued.

Prior to the convocation of the Special Session of the General Assembly, private consultations at the instance of the United States had taken place among the members of the Security Council to consider what elements might be incorporated in a temporary United Nations trusteeship agreement if that should meet with the favor of the General Assembly. Following these discussions, from which the Soviet and Ukrainian members of the Council abstained, the United States Delegation to the Special Session on April 20 informally sub-

mitted to other delegations as a basis for discussion a working paper entitled "Draft Trusteeship Agreement for Palestine", which embodied the principles which the United States had put forward for discussion in the informal meeting of the members of the Security Council on April 5, 1948.

While the Security Council, on one hand, was attempting to maintain peace in Palestine and the General Assembly, on the other, was considering the best temporary form of government which should take over after the British Mandate was withdrawn on May 15, bitter fighting continued in Palestine. The United States played a major and active role in endeavoring to negotiate a truce and subsequently a temporary cease-fire between the Arab and Jewish factions.

In a further effort to re-establish peace in the area the Security Council on April 23 established a Truce Commission in Palestine, composed of the Representatives of those members of the Council which had career consular officers in Jerusalem (Belgium, France, the United States, and Syria) but noted that the Syrian Government was not prepared to serve on the Commission. The function of the Truce Commission was to assist the Security Council in supervising the implementation by the parties of the resolution of April 17. The Commission met in conditions of great personal danger to the Consuls General of Belgium, France, and the United States, who displayed the utmost valor in endeavoring to bring about a truce in the Holy City which might extend throughout Palestine. That their efforts were unsuccessful made more tragic the death of the American member of the Truce Commission, Consul General Thomas Wasson, who on May 22 was hit by a sniper's bullet while returning from a meeting of the Commission.

Meanwhile, in the Special Session of the General Assembly, it became evident that the necessary two-thirds majority of delegations present and voting could not be mustered in support of a temporary trusteeship for Palestine.

The Assembly, having failed to accept the proposal for a temporary trusteeship in Palestine, wound up its Special Session by adopting a resolution on May 14 which confirmed its support of the efforts of the Security Council to secure a truce in Palestine and called upon all governments and persons to cooperate in making effective such a truce. At the same time the Assembly established the office of a United Nations Mediator for Palestine, who was empowered to use his good offices with the local and community authorities to arrange for the operation

of common services necessary to the safety and well-being of the population, to assure the protection of the Holy Places, and to promote a peaceful adjustment of the future situation of Palestine. The same resolution of the Assembly relieved the Palestine Commission from the further exercise of its authority under the resolution of November 29, 1947. Count Folke Bernadotte of Sweden was appointed Mediator.

At the expiration of the British mandate for Palestine at midnight, May 14, 1948, the Provisional Government of Israel proclaimed the independence of the state of Israel. The President of the United States gave immediate *de facto* recognition to the Provisional Government of Israel.

### Expansion of Hostilities

Following the termination of the British mandate, armed conflict in Palestine itself continued to increase, including not only the Arabs of Palestine but the neighboring states as well. Egypt, Transjordan, Iraq, Syria, and Lebanon became involved and clashed with Israeli forces in various sectors of the Holy Land. It was announced in Cairo that the Egyptian armed forces had started to enter Palestine "to establish security and order". From the United Nations aspect, prompt steps were taken to meet this overt breach of international peace and security. On May 22 the Security Council adopted a resolution calling upon all governments and authorities, without prejudice to the rights, claims, or position of the parties concerned, to abstain from any hostile military action in Palestine and to that end to issue a cease-fire order to become effective within 36 hours after midnight New York standard time, May 22, 1948.

This resolution did not suffice, however, to terminate hostilities in Palestine. In consequence, on May 29 the Security Council adopted a resolution which reaffirmed its cease-fire order, to be effective not later than 6 p. m. New York time, on June 1, 1948. This resolution called upon the governments or authorities concerned to order a cessation of all acts of armed force for a period of four weeks, during which time they should not introduce fighting personnel or war material into Palestine or the Arab states. Should men of military age enter these countries, the governments concerned should undertake not to mobilize or submit them to military training during the cease-fire. The United Nations Mediator for Palestine, in concert with the Truce Commission, was instructed to supervise the observance of these provisions, aided by a sufficient number of military observers. The resolution concluded with the decision that if it should be rejected by either party or by both, or if, having been accepted, it should

subsequently be repudiated, the situation in Palestine would be reconsidered with a view to action under chapter VII of the Charter, "Action with Respect to Threats to the Peace, Breaches of the Peace, and Acts of Aggression".

Both the Provisional Government of Israel and the Arab Governments concerned signified their willingness to observe the cease-fire order as of June 1. The United Nations Mediator promptly undertook his new and enlarged responsibilities. The group of military observers, originally made up of 21 officers each from the United States, Belgium, and France, was progressively expanded until it finally included approximately 300 officers and men each from France and the United States and 150 officers and men from Belgium. The United States Government, in its desire to give the fullest cooperation to the Mediator, likewise lent Count Bernadotte three destroyers to serve as picket vessels off the coast of Palestine; furnished aircraft, jeeps, and other transportation facilities; and provided the Mediator with a complete communications network, linking his headquarters on the island of Rhodes with his field stations in Palestine and with the United Nations itself at Lake Success, N. Y.

Although there were repeated incidents in which each side charged the other with violation of the truce, by and large, thanks to the unremitting endeavors of Count Bernadotte and his staff including the tri-nation military observers, the truce established under the resolution of May 29 was effective.

## End of Cease-Fire; Resumption of Hostilities

When the four weeks' cease-fire expired, the hostilities were resumed. The armed forces of Israel now proved superior in the field to the combined Arab armies. The Israeli army was able to drive through a corridor to the beleaguered Jews in Jerusalem, although this was not a part of Israeli territory. It was again obvious that international peace and security were daily being further menaced by the continuous warfare in Palestine which threatened the peace of the entire Middle East. In consequence this Government took the lead in securing the adoption of an additional cease-fire resolution by the Security Council on July 15. This resolution went further than any preceding decision of the Security Council in that it determined that the situation in Palestine constituted a threat to the peace within the meaning of article 39 of the Charter. It ordered the governments and authorities concerned, pursuant to article 40, to desist from further military action and to issue cease-fire orders to take effect at a time to be determined by the Mediator but, in any event, not

later than three days from the date of the adoption of the resolution. Should any of the governments or authorities concerned fail to comply with this order, such failure would demonstrate the existence of a breach of the peace within the meaning of article 39 of the Charter, requiring immediate consideration by the Council with a view to such further action under chapter VII of the Charter as might be decided upon by the Council. In addition, as a matter of special and urgent necessity, an immediate and unconditional cease-fire was ordered in the City of Jerusalem, to take effect within 24 hours, and the Mediator was instructed to continue his efforts to bring about demilitarization of Jerusalem without prejudice to its future political status. This resolution on July 15 was of indefinite duration; the Council decided that the truce should remain in force until a peaceful adjustment of the future situation of Palestine was reached.

Faced with this most emphatic of the Security Council's actions, the parties to the conflict in Palestine by and large paid heed to the Security Council's order. On July 17 the cease-fire for Jerusalem went into effect at 0545 local time, and the truce spread rapidly to other fronts throughout the country, becoming finally effective on the following day. This truce was continued, with sporadic violations on both sides, well into October 1948, when renewed and serious fighting broke out in the Negeb in southern Palestine.

### Mediator's Suggestions for Settlement

Meanwhile, on the political front, the United Nations Mediator, Count Bernadotte, on June 28 and 29 had submitted to the parties three papers setting forth in outline his suggestions for a possible approach to the peaceful adjustment of the future situation in that country. In essence he proposed that Palestine compose a union of two members, one Arab and one Jewish, whose boundaries would be fixed by negotiation on the basis of suggestions made by the Mediator. The functions and authority of the Union would be exercised through a central council, but each member of the partnership would exercise full control over its own affairs, including foreign relations. The Mediator proposed that the whole or part of the Negeb should become Arab territory, while the whole or part of Western Galilee should be Jewish territory. The City of Jerusalem would be in Arab territory but with municipal autonomy for the Jewish community and special arrangements for the protection of the Holy Places.

Both the Arab Governments and the Provisional Government of Israel rejected these proposals by Count Bernadotte.

In August the truce was repeatedly breached with particular vehemence in and about Jerusalem. Count Bernadotte, in a telegram

dated August 18, informed the Security Council of his concern. He said that not only had firing practically never ceased in Jerusalem but the situation was rapidly getting out of hand. Under prevailing conditions and hampered by the lack of sufficient military observers he found it difficult to assess responsibility and idle to try to ascertain which of the parties was more to blame. Nevertheless he feared that further deterioration of the situation in Jerusalem might lead to a general resumption of hostilities and requested the Security Council to take prompt action with a view to giving effect to its resolution of July 15.

On the following day, August 19, the Security Council adopted a resolution reaffirming its order of July 15 and deciding, among other things, that "No party is permitted to violate the Truce on the ground that it is undertaking reprisals or retaliations against the other party. No party is entitled to gain military or political advantage through violation of the Truce."

## The Bernadotte Plan

As the result of his consultations with the governments concerned and in light of the changed military situation in Palestine, Count Bernadotte made one final attempt to suggest the elements of a solution based on justice and containing the germ of a lasting peace. In a report dated September 16, two days before his assassination in the City of Jerusalem, Count Bernadotte made his last proposals to the Members of the United Nations. He set forth seven basic premises as the foundation for the Bernadotte Plan and from these drew eleven specific conclusions. The seven premises dealt with return to peace, the existence of a Jewish state called Israel, the need to fix boundaries of this new state, the establishment of continuous frontiers on the principle of geographic homogeneity, the right of repatriation of refugees, special provisions to safeguard Jerusalem, and the recognition of international responsibility, possibly in the form of international guaranties for the permanent pacification of Palestine. Among his specific conclusions Count Bernadotte advocated that the uneasy truce should be superseded by a permanent and formal armistice. The frontiers should be established by the United Nations and delimited by a boundaries commission. Count Bernadotte thought that these frontiers should be simplified. He would give the southern portion of Palestine—the desert area known as "the Negeb," south of a line running from the sea near Majdal to Faluja—to the Arabs. In return all of Galilee would be defined as Jewish territory, as well as the city of Jaffa. That part of Palestine left to the Arab population would be left for disposal to the Governments of the Arab states

in full consultation with the Arab inhabitants of Palestine, with the Mediator's recommendation, however, that there would be compelling reasons for merging the Arab territory of Palestine with that of Transjordan. Count Bernadotte felt that the United Nations should undertake to provide special assurance that these boundaries be respected and maintained. He likewise thought that Haifa should be a free port and Lydda a free airport, while Jerusalem should be treated separately and placed under effective United Nations control with unimpeded access to the city respected by all parties. The United Nations should affirm the right of the Arab refugees to return to their homes in Jewish-controlled territory at the earliest possible date, and those choosing not to return should be compensated. Finally, the United Nations should establish a Palestine Conciliation Commission to give effect to these specific conclusions.

### Count Bernadotte's Assassination

Count Bernadotte was murdered on the day his proposals were forwarded to the United Nations in Paris. The United States Government, in common with other governments Members of the United Nations, feels a profound sense of gratitude to the slain Mediator for his untiring and unbiased efforts, culminating in the sacrifice of his own life in a cause which he had made his own—that of contributing to the restoration of peace based on justice.

On September 21, three days after Count Bernadotte's assassination, the Secretary of State publicly proclaimed his support of Count Bernadotte's conclusions and recommended that the Assembly adopt them. Meanwhile, Dr. Ralph J. Bunche, Count Bernadotte's principal assistant, was named by the Security Council as Acting Mediator.

### Fighting Breaks Out in the Negeb

The General Assembly, convened in its Third Session in Paris, felt that other problems deserved more immediate consideration, and in consequence the Bernadotte proposals were not immediately taken up in the First Committee. Meanwhile military events supervened. On October 14 the armed forces of Israel undertook a general offensive in the Negeb against Egyptian forces which had heretofore held the line from Majdal to Faluja and had occupied in garrison strength the town of Beersheba and the port of Gaza. The Egyptian forces were routed from Majdal and Beersheba, while the garrison of Faluja remained encircled and besieged beyond the end of the year.

To meet this situation, the Council adopted a resolution on October 19 reminding the governments and authorities concerned that all the



obligations and responsibilities of the parties set forth in its resolutions of July 15 and August 19 were to be discharged fully and in good faith. These governments and authorities were expected to allow United Nations observers and other truce supervision personnel to have ready access to the areas of fighting. In addition the Government of Israel was again requested to submit to the Security Council at an early date an account of the progress it had made in the investigation of the assassination of Count Bernadotte.

On the same day the Council adopted a second resolution stating that the indispensable condition to a solution of the situation was an immediate and effective cease-fire. The Council stated that after the cease-fire the withdrawal of both parties from any positions not occupied at the time of the outbreak, and acceptance by both parties of a previous Mediator's order on the supply of convoys, might form a basis for further negotiations looking toward insurance that the truce would be fully observed in the Negeb.

Israeli forces continued their successful operations, and on October 21 Beersheba was captured. At the request of Egypt the Security Council was called into emergency session again to consider the situation.

### President Truman's Statement of October 24, 1948

At this juncture the President of the United States issued a public statement with regard to Palestine. He said he stood squarely on the provisions covering Israel in the Democratic Party platform, concluding with the statement: ". . . we approve the claims of Israel to the boundaries set forth in the United Nations' resolution of November 29, 1947, and consider that modifications thereof should be made only if fully acceptable to the State of Israel." The President continued: "Proceedings are now taking place in the United Nations looking toward an amicable settlement of the conflicting positions of the parties in Palestine. In the interests of peace this work must go forward. A plan has been submitted which provides a basis for a renewed effort to bring about a peaceful adjustment of differences. It is hoped that by using this plan as a basis of negotiation, the conflicting claims of the parties can be settled."

Meanwhile, faced with continuation of hostilities in the Negeb, the Security Council on November 4 adopted a resolution invoking its three previous resolutions of May 29, July 15, and August 19, and called upon the interested governments, without prejudice to their rights, claims, or position with regard to the future situation of Palestine, to withdraw those of their forces which had advanced beyond

the positions held on October 14. The Acting Mediator was authorized to establish provisional lines beyond which no movement of troops should take place. The parties were required to establish through negotiation, either directly or through the United Nations, permanent truce lines and such neutral or demilitarized zones as might appear advantageous. Failing in such an agreement, the permanent lines and neutral zones should be established by the Acting Mediator. In addition, the resolution of November 4 established a subcommittee of the Council, consisting of the five permanent members, together with Belgium and Colombia, to advise the Acting Mediator and, in the event that the parties should not comply with the resolution, "to study as a matter of urgency" and to report to the Council on further measures it would be appropriate to take under chapter VII of the Charter.

Dr. Bunche, the Acting Mediator, established provisional truce lines in the Negeb. However, on November 16 the Security Council, reaffirming its previous and numerous truce resolutions, took note that the General Assembly was then once more considering the future government of Palestine and, without prejudice to the actions of the Acting Mediator under the resolution of November 4, decided that an armistice should be established in all sectors of Palestine. The resolution of November 16 called upon the parties directly involved in the conflict to seek agreement forthwith, either by direct negotiations or through the Acting Mediator, with a view to the immediate establishment of an armistice, including the delineation of permanent armistice demarcation lines and such withdrawal and reduction of their armed forces as might insure the maintenance of the armistice during the transition to permanent peace in Palestine.

Partial but not complete compliance with the two November resolutions of the Security Council was given. The Israeli Government announced that its "mobile forces" would be withdrawn to the line of October 14. However, it refused to evacuate Beersheba and maintained its siege of the Egyptian garrison at Faluja. For its part, the Egyptian Government announced it would comply with the November 16 resolution if the Jewish authorities would observe the November 4 resolution.

In December severe fighting again broke out in the Negeb, and Israeli forces crossed the frontier of Egypt. The Security Council on December 29 adopted a resolution calling upon the governments concerned to order an immediate cease-fire and to implement without further delay the resolution of November 4. Early in the new year Egypt and Israel gave compliance to this resolution by agreeing to a cease-fire and by undertaking armistice negotiations.

## General Assembly Resolution of December 11

Meanwhile the First Committee of the General Assembly undertook its renewed consideration of the future government of Palestine. A British motion which would in effect have adopted the Bernadotte Plan did not meet with the acceptance of the Committee. The United Kingdom thereupon proposed an alternative resolution embodying amendments offered by the United States, which placed principal emphasis on pacific settlement by agreement between the parties and on the establishment of a Conciliation Commission to assist the parties in reaching agreement. At last, on December 11, the day before the close of the Assembly's meeting in Paris, a plenary session adopted a resolution on Palestine which established a Conciliation Commission (consisting of France, Turkey, and the United States) to assume the functions given to the Mediator by the Assembly's resolution of May 14 and to undertake, upon the request of the Security Council, any of the functions assigned to the Mediator or the Truce Commission by resolutions of that Council. The Conciliation Commission was instructed to take steps to assist the governments and authorities concerned to achieve a final settlement of all questions outstanding between them. The resolution provided for special protection of the Holy Places and stated that the Jerusalem area should be accorded special and separate treatment from the rest of Palestine and should be placed under effective United Nations control, the Conciliation Commission being instructed to present to the Fourth Regular Session of the Assembly specific details for a permanent international regime for the Jerusalem area. The Conciliation Commission was likewise instructed to seek arrangements to facilitate the economic development of Palestine and the repatriation, resettlement, and rehabilitation of refugees.

In December the Government of France appointed Claude Breart de Boissanger as its member of the Conciliation Commission. The President appointed Joseph B. Keenan as the American member,<sup>3</sup> while the Government of Turkey appointed Huseyin Cahit Yakin as its representative on the Commission.

Thus the year 1948 was one of vicissitudes and grave conflict in Palestine. The solution of this problem which has baffled statecraft for a generation is yet to be found, but certain definite landmarks on the way to that solution were established in 1948. The most outstanding of these landmarks is the existence of the state of Israel. The Jewish population of Palestine, with the assistance of their coreligionists throughout the world, proclaimed and protected the new state of

<sup>3</sup> Mr. Keenan resigned on Jan. 14, 1949, and was replaced by Mark Ethridge.

Israel. The state of Israel, as Count Bernadotte noted, exists, and as 1948 drew to a close it was obvious that the armed forces of Israel were capable of defending it.

The boundaries of the state of Israel remain subject to final determination. Other areas in Palestine awarded to the Arab population by the resolution of November 29, 1947, are presently under Israeli military occupation. These areas include the predominantly Arab city of Jaffa, the predominantly Arab region of western Galilee, and the major portion of Jerusalem with the land corridor to that Holy City, which the Assembly's resolution of 1947 had not allocated to the Jewish state. The United States Government took the position, as officially expressed by its Delegate to the General Assembly in a speech on November 20, that "reductions in such territory should be agreed by Israel. If Israel desires additions, it would be necessary for Israel to offer an appropriate exchange through negotiations."

Events of the tumultuous year in Palestine, involving withdrawal from its mandate by the United Kingdom, the establishment of Israel, and sharp warfare between the Arab and Israeli armies, did not result in a decisive display of United Nations strength confronting a problem for which only the more measured pace of history would provide the answer. Nevertheless, the United Nations, although it did not resort to force to put down this incipient war in the Middle East, was in large measure successful in putting bounds and metes to the conflict. It gave effect to the principle that a threat to international peace and security anywhere is the concern of the international community everywhere, and although, according to the Charter interpretation sustained by the American Government, the General Assembly had no power to enforce its political recommendations through Security Council action, the Council itself had ample opportunity in dealing with Palestine to exercise its responsibilities for the maintenance of peace and security.

### ASSISTANCE TO PALESTINIAN REFUGEES

As a result of the hostilities in Palestine preceding and following the termination of the British mandate on May 15, 1948, almost the whole of the Arab population fled from the area under Jewish occupation. The plight of these refugees became very acute by the middle of the summer of 1948. At the end of July the League of Arab States addressed an appeal to Count Bernadotte stating that the situation of misery and distress of the refugees merited the attention of the United Nations organization concerned with the assistance and welfare of refugees and requesting the Mediator to initiate such action as required to relieve the gravity of the situation. On August 16 the Mediator sent telegrams to 24 nations which had had important trade connec-

tions with Palestine and the surrounding Arab countries, requesting certain specific items of supplies from them. He also sent telegrams to 29 other states with the request that they provide any available general food requirements or funds. While some states supplied the specified commodities in full, the response in general was inadequate. The Government of the United States had no funds available for direct governmental contribution, but under the initiative and coordinating guidance of the Department of State supplies to the value of nearly one and one-half million dollars were furnished through private contributions by the middle of November. In addition, the United Nations International Children's Emergency Fund, which had already contributed \$411,000 for a two months' emergency program, authorized a longer-range program calling for the expenditure of \$6,000,000 in this area.

When the General Assembly met in Paris on September 21, it had become apparent that the situation of the refugees was one of emergency bordering on disaster. The Mediator devoted part III of his progress report of September 18 to the subject of assistance to refugees. He gave the figure of 360,000 as the number of refugees requiring assistance and indicated that the number was constantly increasing. He emphasized the desperate urgency of the problem and stated that the choice was between saving the lives of many thousands of people "now" or permitting them to die.

On October 18 the Acting Mediator issued a supplementary report which showed that the situation was continuing to deteriorate. This report contained the detailed estimate of the Director of Disaster Relief, who had been appointed by the Mediator, of the cost of the program of relief for a period of nine months beginning December 1. It fixed the maximum number of refugees requiring assistance at 500,000 and the estimated cost at \$29,500,000.

It became apparent from these reports that the problem for the General Assembly was to determine what funds and supplies were required, how the needed funds should be obtained, and how they were to be distributed to the refugees.

The United States Delegation proceeded upon the premise that action by the United Nations to meet this emergency situation would make an important contribution to the settlement of the general Palestine problem. While recognizing the humanitarian aspects of the problem, the Delegation insisted from the beginning that the program should not be undertaken solely on a humanitarian basis. With this in view, the following paragraph, based on the Mediator's progress report, was included in the preamble to the resolution jointly sponsored by Belgium, the Netherlands, the United Kingdom, and the United States:

“WHEREAS the alleviation of conditions of starvation and distress among the Palestine refugees is one of the minimum conditions for the success of the efforts of the United Nations to bring peace to that land. . . .”

At the same time the Delegation was careful to make it clear that the program should not be launched in such a way as to indicate any legal obligation or responsibility on the part of the United Nations for undertaking the care of the Palestinian refugees.

The Delegation concluded that it was essential for the General Assembly to fix the total amount required to meet the emergency, the estimated number of refugees, and the period for which the program should be launched. The problem of how the needed funds and supplies should be obtained was more difficult. After a thorough study of the alternatives, it was concluded that in view of the size of the problem the funds would have to come from Member governments rather than from private contributions. It was also decided that in view of the size of the amount required, in relation to the United Nations budget, and the undesirability of creating a precedent, the funds for the program should not be included in the regular United Nations budget. The difficult question of whether there should be any indication of the size of the contributions expected from governments was resolved in favor of a purely voluntary contribution with a strong recommendation to Members that they make contributions in kind or in funds sufficient to insure that the amount of supplies and funds required would be obtained. In order to make funds immediately available, it was decided that provision should be made for an advance from the Working Capital Fund of the United Nations.

Perhaps the most difficult question of all was that of the organization to be set up for carrying out the program. Although at first glance the logical answer would seem to be to utilize the resources of the International Refugee Organization, it was concluded that this was impracticable. The small membership of the Iro would unduly restrict the potential contributors to the program, and the burden put upon the Refugee Organization by this program would imperil the successful accomplishment of the main task for which it was established—the repatriation and resettlement of refugees in Europe. Agreement was finally reached in consultation with other delegations, the Acting Mediator, and the Secretariat, upon the creation of a small directing and coordinating organization responsible to the Secretary-General and acting under a Director of Relief. Upon the initiative of the United States, it was agreed that the actual operations and distribution in the field should be carried out by nongovernmental organizations in agreement with the Secretary-General and the Direc-

tor of Relief. The resolution as finally adopted makes special mention in this connection of the International Committee of the Red Cross and the League of Red Cross Societies. This scheme of organization would relieve the Secretary-General of the necessity for undertaking directly the extensive operational duties involved in the proposed program.

A program embodying these principles was set out in the joint resolution introduced by Belgium, the Netherlands, the United Kingdom, and the United States on October 29. Committee 3 of the Assembly heard a report from the Acting Mediator and the Director of Relief on October 20 and after a short general debate referred the matter to a subcommittee on October 30. The resolution, recommended unani- mously by the subcommittee, was adopted by the full Committee on November 13 by a vote of 52 to 0, with 4 abstentions. The budgetary aspects of the question were reviewed by the Fifth Committee, particu- larly the question of the utilization and safeguarding of the Working Capital Fund and the fixing of the amount required for administrative and local operational expenses. The resolution as finally adopted by the Assembly on November 19—

1. Fixes the amount required to provide relief for 500,000 refugees from December 1, 1948, to August 31, 1949, at \$29,500,000 and the amount required for administrative expenses at \$2,500,000;

2. Authorizes an advance from the Working Capital Fund of \$5,000,000, to be repaid before the end of the period from the voluntary governmental contributions;

3. Urges all Member states to make voluntary contributions in kind or in funds to insure that the amount of funds and supplies required is obtained and provides for the acceptance of contributions from non- members;

4. Authorizes the Secretary-General to establish a special fund and, in consultation with the Advisory Committee on Administrative and Budgetary Questions, to establish regulations for the administration and supervision of the fund;

5. Requests the Secretary-General to take all necessary steps to extend aid to the Palestinian refugees and to establish the required administrative organization, including the utilization of appropriate agencies of Member governments, the specialized agencies of the United Nations, the United Nations International Children's Emer- gency Fund, the International Committee of the Red Cross, the League of Red Cross Societies, and other voluntary agencies;

6. Requests the Secretary-General to appoint a United Nations Director of Relief for Palestine Refugees "to whom he may delegate

such responsibility as he may consider appropriate for the over-all planning and implementation of the relief programme”;

7. Provides for the convoking, at the discretion of the Secretary-General, of an *ad hoc* Advisory Committee of seven members to be selected by the President of the General Assembly, to which the Secretary-General may submit matters of principle and policy.

On December 4 the Secretary-General appointed Stanton Griffis, American Ambassador to Egypt, to the post of Director of Relief for Palestine Refugees. Mr. Griffis was given leave of absence by the Government of the United States from his post as Ambassador to enable him to accept the appointment. Dr. Bayard Dodge, formerly president of the American University of Beirut, was appointed as an adviser to the Director.

On December 7 an announcement was made simultaneously in Washington and Paris that President Truman would recommend to Congress that the United States contribute 50 percent of the amount provided for in the resolution of November 19, but in no case more than a total of \$16,000,000, as the share of the United States. The United Kingdom Delegation announced during the debate in Committee 3 that it would make a contribution of £1,000,000 (approximately \$4,000,000), and the French Delegation announced in the plenary session that it would recommend to the Chamber of Deputies a contribution of 500,000,000 francs (approximately \$1,600,000).

## THREATS TO POLITICAL INDEPENDENCE AND TERRITORIAL INTEGRITY OF GREECE

Throughout 1948 the problem of curbing the assistance to the guerrillas in Greece by Albania, Bulgaria, and Yugoslavia and of finding means of settlement of the disputes between Greece and those countries has continued to require the attention of the United Nations. While the situation remains menacing, it may be said that the persistent efforts of the United Nations in this field have made a positive contribution toward a restoration of more peaceful conditions in the frontier areas of Greece and the continued existence of that country free from interference from its northern neighbors.

### History of the Problem

It will be recalled that the Balkan problem was first considered by the Security Council as early as 1946. A commission appointed by the Security Council in 1946 completed an on-the-spot investigation and reported to the Council on May 23, 1947. Eight of the eleven



members of the commission found that all three of Greece's northern neighbors were supporting the guerrilla warfare in Greece. From June through August 1947, the Security Council's attempts to carry out the recommendations of the majority report of its investigating commission were frustrated by Soviet vetoes. On the initiative of the United States the case was removed from the Security Council agenda to the agenda of the General Assembly under the heading "Threats to the Political Independence and Territorial Integrity of Greece".

On October 21, 1947, the General Assembly, after minor modifications, adopted a resolution proposed by the United States. It called upon Albania, Bulgaria, and Yugoslavia to do nothing which could furnish aid to the Greek guerrillas, recommended the early establishment of normal diplomatic and good-neighborly relations among the four Balkan states, and urged those states to agree on effective frontier control machinery and to cooperate in handling refugee and minority problems. The resolution also established a Special Committee composed of 11 members to keep the situation under continuous observation, to make available its assistance to the four states concerned in the implementation of the Assembly recommendations, and to keep the United Nations informed of developments.

### Work of Special Committee

The United Nations Special Committee on the Balkans, known as UNSCOB, has consisted of the representatives of 9 of the 11 governments originally named by the Assembly: Australia, Brazil, China, France, Mexico, the Netherlands, Pakistan, the United Kingdom, and the United States, with "seats being held open" for Poland and the Soviet Union, which refused to participate. The Committee established itself at Salonika in northern Greece in December 1947. Since the withdrawal of Alan G. Kirk, American Ambassador to Belgium, from active participation as United States Representative on the Committee in March 1948, Gerald A. Drew, a Foreign Service Officer, has become the United States Representative. Although the Committee was authorized to perform its functions wherever necessary in the territories of the four Balkan states involved, subject to the cooperation of their governments, Albania, Bulgaria, and Yugoslavia have refused to cooperate with, or even to recognize, the Committee. In contrast, Greece extended full cooperation to UNSCOB and afforded it all necessary facilities. To carry out its function of observation and investigation UNSCOB has established a number of observation groups in Greece stationed at vantage points near the

northern frontiers and staffed by observers provided by seven of the governments represented on the Committee. In November 1948 the United States was furnishing 13 such observers. Although access to the border areas in Albanian, Bulgarian, and Yugoslav territory has consistently been denied them, the observation groups were able, at grave personal risk, to see at first hand from the Greek side of the frontiers evidence which confirmed the finding of last year's Security Council commission that Albania, Bulgaria, and Yugoslavia were giving substantial aid to the Greek guerrillas. These direct observations, supplemented by information obtained through the interrogation of hundreds of witnesses, formed the basis for the conclusions which UNSCOB adopted in its reports to the General Assembly.

UNSCOB also made repeated efforts to obtain the cooperation of the northern governments in order to enable it to discharge the conciliation duties provided for in the 1947 resolution of the General Assembly. But those governments invariably rejected UNSCOB's overtures. While protesting their desire to see their relations with Greece stabilized, they denounced as "illegal" and "imperialistic" the very agency which the United Nations had created to assist in achieving that goal.

Under these conditions, the Special Committee pursued its task, completing its main and two supplementary reports to the General Assembly on June 30, September 10, and October 22, 1948, respectively.

The following is a summary of the principal conclusions adopted by UNSCOB in its reports:

(a) Large-scale aid continued to be furnished to the Greek guerrillas from the northern countries despite the General Assembly's injunction against such a practice;

(b) The guerrillas in the frontier zones "have been largely dependent on external supply," and have been able to retire safely into the northern states' territory when the Greek Army "exerted great pressure," as well as to cross into such territory for tactical reasons and to return at will to Greece after regrouping their forces;

(c) As long as such conditions prevailed, the United Nations should maintain an appropriate body to keep watch in the Balkans and to work toward eventual peaceful settlement of disputes;

(d) The continuation of such a situation should be considered as a threat to the independence and integrity of Greece and to peace in the Balkans; the conduct of Albania, Bulgaria, and Yugoslavia should be regarded as "inconsistent with the purposes and principles of the Charter of the United Nations";

(e) Because of the attitude of the northern governments toward the Committee, it had been unable effectively to fulfil its conciliation role but believed that it should continue to be invested with that function.

### Greek Case in Third Regular Session of Assembly

More time was spent by the First Committee of the General Assembly on the Greek problem than on any other question, the discussion continuing from October 25 through November 11. It produced a sharp cleavage between the views of the overwhelming majority of the Members of the United Nations and those of the minority consisting of the Soviet Union, the Ukraine, Byelorussia, Poland, Czechoslovakia, and Yugoslavia, the latter group contending throughout that UNSCOB was an illegal, incompetent, and even dangerous body. The same group attempted without success to have representatives of the Markos (Greek guerrilla) regime appear before Committee 1, claiming that only thus could the Assembly obtain a reliable picture of the Greek situation. The Governments of Albania and Bulgaria, nonmembers, were granted a hearing before the Committee on the same basis as that provided for them at the 1947 session.

In presenting the United States views before the Committee, John Foster Dulles stated that the violent effort, on the part of the Greek guerrillas assisted by Albania, Bulgaria, and Yugoslavia, to overthrow the Greek Government "is but part of a general effort to extend the power of Soviet Communism throughout the world." The Assembly should expose methods of violence, he said, "gradually developing a world opinion so condemnatory of such methods, so disposed to suppress them, that violent methods will gradually fall into disuse as ineffectual and dangerous to those who employ them." Greece was a case in point. Mr. Dulles admitted that the Balkan Committee had been unable to fulfil its conciliation role because of the refusal of Albania, Bulgaria, and Yugoslavia to cooperate with it, but pointed out that the Assembly's action in 1947 had been "one of the indispensable factors that have, so far, preserved for Greece the integrity and sovereignty which it was hoped this Organization could secure for all time for all of its Members." Reviewing the evidence submitted by UNSCOB, Mr. Dulles asserted that the Assembly's efforts must go on so as to assure a continuing exposure of violations of the Charter, at the same time keeping open the avenues of conciliation toward an ultimate peaceful solution. The United Kingdom, French, Chinese, and United States Delegations then introduced before the First Committee a joint draft resolution which continued UNSCOB with both observation and conciliation functions and which expressed the conclusion that

the behavior of the northern countries toward Greece was contrary to the purposes and principles of the Charter and endangered peace in the Balkans.

In the debate the Eastern European minority sought throughout to impugn the constructive efforts of UNSCOB and the integrity of its members. The Soviet and Yugoslav Delegates, in particular, made lengthy statements claiming that UNSCOB was useless and even harmful, that it had been illegally created, and that it was only a screen for attempted Anglo-American domination of the Balkans. They denied that it had been proved that Albania, Bulgaria, and Yugoslavia were actively aiding the guerrillas, blamed the Greek Government for the Balkan situation, and demanded that the United Nations discontinue UNSCOB.

In contrast to this position, the great majority of the Members held that Greece's independence and integrity were definitely threatened because of the material assistance to the Greek guerrillas on the part of Albania, Bulgaria, and Yugoslavia. They had confidence in the findings of the Special Committee and in the reliability of its border observers. Greece had cooperated with UNSCOB, and the unwillingness of the northern governments to do so could hardly be used as an argument for regarding UNSCOB as lacking in impartiality. The majority expressed the view that the United Nations must continue to maintain the Committee and that the latter had already made a positive contribution to the cause of peace.

On November 10 the First Committee began final consideration of the four-power draft resolution, as well as of resolutions proposed by the Soviet Union, Yugoslavia, Poland, and Australia, respectively. The Polish and Yugoslav drafts were similar in that they proposed nonacceptance of the reports of UNSCOB and the dissolution of that body. The Soviet draft called for the immediate withdrawal of all foreign troops and military personnel from Greece, the re-establishment of diplomatic relations between Greece on the one hand and Albania and Bulgaria on the other, the renewal or the negotiation of frontier conventions, the settlement of refugee and minority problems, and the termination of UNSCOB.

An Australian proposal was presented as a wholly new suggestion. It called for a meeting of the representatives of the four Balkan states to be held in Paris while the Assembly was in session, under the auspices of the President of the Assembly and the Secretary-General, with a view to exploring possibilities of composing the differences between those countries. There was also a separate resolution before the Committee presented by Belgium, based on an earlier Greek proposed amendment to the four-power resolution, calling for

the return of the Greek children who had been removed to various countries to the north by the Greek guerrillas.

The four-power resolution, with several amendments by Australia which were accepted by the sponsors, was approved by the Committee on November 10 by a vote of 48 to 6, with no abstentions. Several noncontroversial sections of the Soviet Union draft, the substance of which was already contained in the original Assembly resolution of October 21, 1947, were approved by 48 to 0, with one abstention, and were incorporated into a second resolution. Other provisions of the Soviet resolution were rejected. The Committee then adopted the separate Australian proposal providing for conciliation talks in Paris, after it had been agreed that the chairman and rapporteur of Committee 1 should be included as conciliators along with Assembly President Evatt and Secretary-General Lie. The Yugoslav proposal for the dissolution of UNSCOP was withdrawn, and the Polish resolution to the same effect was rejected by a vote of 38 to 6. On November 11, the Political and Security Committee unanimously adopted the amended Belgian proposal calling for steps, with the assistance of the International Red Cross, to secure the return to Greece of the children who had been removed from their homes.

Between November 12 and the adjournment of the Assembly session the conciliation talks under the Australian resolution were carried on. These talks were of necessity kept private and centered around means for the re-establishment of normal diplomatic relations and for the conclusion of effective frontier conventions among the four Balkan states. After adjournment of the Assembly session, Dr. Evatt announced that the talks had made some progress but that a divisive factor had been a formal request that Greece acknowledge the existing boundary with Albania as definitive. As a matter of practice, the announcement stated, the existing boundaries were recognized *de facto* and "no party would seek to alter them contrary to the principles and purposes of the Charter".

In the meantime, on November 27, the General Assembly, despite further lengthy attacks on UNSCOP by several Eastern European countries, adopted the joint resolution by a vote of 47 to 6, with no abstentions. In the debate preceding the vote the American Representative, Mr. Dulles, alluded to a statement by the Yugoslav Representative.

"I want to refer," Mr. Dulles said, "to a phrase which was used by the representative of Yugoslavia as he finished his speech. He said: 'We know that we are hated because of our form of government.' I hope that Mr. Bebler does not really believe that and I do not think

he does believe it, because he has ample evidence of our personal respect and regard.

“It is quite true, speaking for the American people, that they do not want a Communistic form of government for themselves and that they doubt that that form of government is good for any people. But that opinion does not reflect itself in hate. We believe that men and nations are entitled to experiment freely, as directed by their reason and their conscience and their special conditions. We also believe that men and nations are entitled to seek to make their views prevail by appeal to the reason of others and by pointing to the good fruits that are borne by their own form of society. But we do not hate those of conflicting beliefs.

“What we do hate is the use of force, violence, terrorism and coercion as methods for making one’s views prevail. We believe that is wrong—morally wrong—as violative of basic human rights, and we also believe that those methods, when used internationally, violate the United Nations Charter whereby the members have agreed to refrain, in their international relations, from the threat or use of force.”

A second resolution, drawn from the original Soviet draft and unanimously approved in the plenary session, urged renewal of diplomatic relations between Greece and the northern countries, the conclusion of frontier conventions, and the settlement of the refugee problem. The portions of the Soviet proposal which had been earlier defeated in Committee 1 and which would have exonerated the northern countries from the charges against them and would have abolished UNSCOP, were defeated by a vote of 47 to 6, with no abstentions. Finally, the Assembly unanimously approved the resolution concerning the repatriation of Greek children with the cooperation of the International Red Cross.

## Continuance of Special Committee

The principal Assembly resolution on the Greek case, which is supplementary to the Assembly’s original resolution of October 21, 1947, may be summarized as follows:

After noting the conclusions of the Special Committee as to the threatening character of the continued assistance to the Greek guerrillas from the northern countries, despite the Assembly’s previous injunction, the General Assembly considers that such aid “endangers peace in the Balkans, and is inconsistent with the purposes and principles of the Charter of the United Nations”.

Albania, Bulgaria, and Yugoslavia are called upon to cease any further assistance to the guerrillas "in any form" and again are called upon to cooperate with the Special Committee, particularly in the latter's exercise of its conciliatory functions. All Members of the United Nations "and all other States" are asked to refrain from any action designed to assist any armed group fighting against the Greek Government. UNSCOB's reports are approved, and it is continued in being with duties of observation and conciliation. The Special Committee may utilize the services of one or more persons, "whether or not members of the Special Committee", in the good-offices phase of its work. The Committee's use of observation groups is endorsed. Finally, the Special Committee is authorized, in its discretion, to consult with the Interim Committee of the General Assembly on the carrying out of its task.

### PROBLEM OF INDEPENDENCE OF KOREA

The General Assembly first took cognizance of the problem of the independence of Korea at its Second Regular Session in 1947. It adopted a resolution which provided for the establishment of a United Nations Temporary Commission on Korea, consisting of 11 members and having authority to observe elections to be held in that country for the purpose of selecting Korean representatives with whom the Temporary Commission might consult regarding the prompt attainment of the freedom and independence of the Korean people. The resolution further provided that the representatives so chosen, constituting a National Assembly, might establish a National Government of Korea. The Temporary Commission was directed to report to the General Assembly and was authorized to consult with the Interim Committee.

#### Commission Activities

The Temporary Commission arrived in Seoul on January 8, 1948, to undertake its task. It was accorded every facility by the United States occupying forces in south Korea, but access to north Korea, occupied by Soviet forces, was denied it. On February 6, therefore, the Temporary Commission voted to consult the Interim Committee as to whether, in view of the Soviet refusal to deal with its representatives, it should implement the program outlined in the General Assembly's resolution only in the part of Korea occupied by the armed forces of the United States. On February 26 the Interim Committee adopted a resolution in which it placed on record its view,

which was subsequently transmitted to the Temporary Commission, that it was incumbent upon the Temporary Commission to carry out its mandate in that part of Korea which was accessible to it.

On March 12 the Temporary Commission, meeting in Seoul, voted to accept the views of the Interim Committee and to observe an election set for May 9 (later May 10), 1948, by the Commanding General of the American forces. After further study, the Commission on April 28 resolved to confirm its intention to observe the election, "having satisfied itself as a result of its extensive field observations . . . that there exists in south Korea in a reasonable degree a free atmosphere wherein the democratic rights of freedom of speech, press and assembly are recognized and respected. . . ."

The election was held as scheduled, approximately 75 percent of the eligible voters participating despite the very real danger of Communist violence. As a result of the balloting 198 representatives were selected, no one Korean political party being in a position to claim the allegiance of a majority among them. The Temporary Commission found, and subsequently reported to the General Assembly, that the results of the balloting were "a valid expression of the free will of the electorate in those parts of Korea which were accessible to the Commission and in which the inhabitants constituted approximately two-thirds of the people of all Korea."

The elected representatives met as a National Assembly on May 31, elected Syngman Rhee as Chairman, and turned to the work of framing a constitution. This document was approved by the Assembly on July 12 and was promulgated at once. On July 20 the Assembly by secret ballot elected Syngman Rhee as President of the National Government. The National Government was inaugurated on August 15, 1948, and United States Army military government in Korea was terminated at midnight on that date.

The United States, which had on August 12 issued a statement setting forth the view that the Korean Government so established was entitled to be regarded as the one envisaged in the General Assembly resolution of November 14, 1947, dispatched to Seoul a special representative authorized to carry on negotiations with it, in consultation with the Temporary Commission, with respect to the completion of the transfer of power.

On September 9, 1948, there was proclaimed in northern Korea the establishment of a "Democratic People's Republic of Korea" claiming jurisdiction over the entire country. The procedures followed in establishing the government in the northern zone were not in accordance with those outlined in the resolution of the General Assembly, and the election for delegates to the Supreme People's Council, held



on August 25, was not observed by the United Nations Temporary Commission on Korea. The election was essentially undemocratic in that the voter was presented with lists of candidates drawn up by the North Korean People's Committee for his approval or disapproval. Although it was claimed by interested parties that a large proportion of the voting population in south Korea secretly cast ballots in this election, such assertions were clearly farcical.

On September 19, 1948, the Soviet Foreign Office delivered to the United States Embassy in Moscow a note stating that all Soviet forces would be withdrawn from Korea by the end of December 1948, in response to the request of the so-called "Supreme National Assembly" in north Korea. In reply the United States Embassy in Moscow on September 28, 1948, addressed a note to the Soviet Foreign Office which declared in part that the United States "regards the question of troop withdrawal as part of the larger question of Korean unity and independence" and referred to the fact that the latter subject would be discussed at the General Assembly of the United Nations. At the same time, however, the Department of State in an official release to the press, made it quite clear that the United States regarded with favor the withdrawal of troops at the earliest practicable date.

### Action of Third Session of Assembly

On December 6 the Political and Security Committee of the Assembly initiated its discussion of the problem of the independence of Korea. The representative of Czechoslovakia requested consideration of a resolution which he had previously introduced asking representation in the Committee for the "Democratic People's Republic of Korea." The representative of China, declaring that there would ensue a disastrous psychological reaction in Korea if representatives of this regime, which had flouted the will of the United Nations, were to be thus favorably received, introduced a resolution to the effect that the delegation of the Republic of Korea, under the chairmanship of Dr. John M. Chang, be invited to participate without vote in the Committee discussion. The proposal of the representative of Czechoslovakia was rejected by 34 to 6, with 8 abstentions, and the Chinese proposal was approved by 39 to 6, with 1 abstention.

The United States, Australia, and China jointly introduced a resolution proposing that the General Assembly declare that there had been established a lawful government (the Government of the Republic of Korea) having effective control and jurisdiction over the part of Korea where the Temporary Commission was able to observe and consult and in which the great majority of the people of Korea reside; that this Government is based on elections which were a valid expres-

sion of the free will of the electorate of that part of Korea and which were observed by the Temporary Commission; and that this is the only such government in Korea.

The United States-Australian-Chinese draft resolution further recommended that the occupying powers withdraw their occupation forces from Korea as early as practicable and provided for the establishment of a commission on Korea having the same membership as that of the Temporary Commission (*a*) to lend its good offices to bring about the unification of Korea and the integration of all Korean security forces in accordance with the principles laid down by the General Assembly in the resolution of November 14, 1947; (*b*) to seek to facilitate the removal of barriers to economic, social, and other friendly intercourse caused by the division of Korea; (*c*) to be available for observation and consultation in the further development of representative government based on the freely expressed will of the people; and (*d*) to observe the withdrawal of the occupying forces and to verify the fact of withdrawal after its occurrence.

The new commission was to have authority to travel, consult, and observe throughout Korea and to consult with the Interim Committee with respect to the discharge of its duties in the light of developments and within the terms of the resolution. All parties were called upon to afford every assistance and facility to the commission, and Member states were enjoined to refrain from any acts derogatory to the results achieved and to be achieved by the United Nations in bringing about the complete independence and unity of Korea. Finally, the resolution recommended that Member states and other nations, in establishing their relations with the Government of Korea, take into consideration the declaration of the General Assembly with respect to that Government's characteristics.

This draft text was adopted in the Political and Security Committee by a vote of 41 to 6, with 2 abstentions. The Ukrainian S.S.R., one of the states chosen to serve on the new commission, through its representative asserted its intention not to participate in this task. A Soviet resolution calling for the dissolution of the Temporary Commission on Korea was rejected by 42 to 6, with 3 abstentions.

On December 12, 1948, the final day of the First Part of its Third Regular Session, the General Assembly considered in plenary session the resolution which had been adopted by the Political and Security Committee. An amendment proposed by the Representative of Canada, to the effect that the new commission should be made up of representatives of Australia, China, El Salvador, France, India, the Philippine Republic, and Syria (thus eliminating Canada and the Ukrainian S.S.R. from its composition) was adopted by a vote of 42

to 0, with 3 abstentions. The amended resolution was then adopted by the General Assembly by a vote of 48 to 6, with 1 abstention.

## BERLIN

The Governments of France, the United States, and the United Kingdom on September 29, 1948, drew the attention of the Security Council to the situation which had arisen as the result of the unilateral imposition by the Soviet Government of restrictions on transport and communications between the Western zones of occupation in Germany and Berlin. This case is one of the most serious yet considered by the Security Council. At the end of the year, efforts of the Council were still continuing but had not brought about a solution.

Detailed accounts of the imposition of the Soviet blockade of Berlin and of the fruitless efforts of the Western Powers, carried on over several months, to secure its removal through direct negotiations have been presented to the Security Council by the United States Representative and published separately by the Department of State.<sup>3</sup> Accordingly, these events need not be summarized in this report.

In their letter of September 29 to the Secretary-General, the three Governments stated that the Soviet restrictions on transport and communications were contrary to obligations of the U.S.S.R. under article 2 of the Charter and created a threat to the peace within the meaning of chapter VII of the Charter. They made clear that, as required by article 33 of the Charter, they had sought a solution of the problem by pacific means of their own choice, i.e. by their numerous requests for interviews with Soviet leaders and the fruitless negotiations in Moscow and Berlin.

## Inclusion in Council Agenda

At the Council's first meeting on the matter on October 4, 1948, the Soviet Representative, Mr. Vyshinsky, opposed inclusion of the item in the agenda on the ground that the matter was placed beyond the Council's competence by article 107 of the Charter. This article reads:

"Nothing in the present Charter shall invalidate or preclude action, in relation to any state which during the Second World War has been an enemy of any signatory to the present Charter, taken or authorized as a result of that war by the Governments having responsibility for such action."

<sup>3</sup> *The Berlin Crisis: A Report on the Moscow Discussions, 1948.* Department of State publication 3298.

He contended that a series of treaties and other international decisions had placed the responsibility for the occupation of Germany in the hands of the Four Powers and that, accordingly, it was not "legal or acceptable to transmit to the Security Council for its consideration any question relevant to the question of Germany, and that includes Berlin". This was accompanied by the usual charges that the Western Powers had violated international agreements. Finally, he denied that any blockade existed.

The United States Representative, Dr. Jessup, pointed out that in effect the U. S. S. R. was repudiating the use of the only international machinery in existence to remove a threat to the peace. As to the technical question of competence, he pointed out that article 107 was not designed to prevent any disputes among the victorious powers from coming to the Security Council but to prevent interference by the former enemy states in action taken by the victorious powers within the agreed realm of their responsibility:

" . . . In other words, article 107 while precluding appeals to United Nations organs by defeated enemy states concerning action taken against them during the period of military occupation by the responsible allied powers, does not prevent one of the allied powers from bringing its differences with other allied powers to the attention of United Nations organs for consideration according to the provisions of Chapter IV, VI or VII of the Charter; much less would it preclude consideration by the Security Council of action by a Member of the United Nations constituting a threat to the peace."

The other non-Soviet members expressed agreement with this position.

After the discussion had ranged widely over the merits of the case, the Council finally on October 5 voted 9 to 2 to include the matter in the agenda. After the vote Mr. Vyshinsky declared that since in his Government's opinion the consideration of the problem by the Council constituted a violation of article 107 of the Charter, he would not participate in the proceedings. The Representative of the Ukraine made a similar statement.

### Council Consideration of Case

In two meetings on October 6 the United States, the United Kingdom, and France presented their case in detail. Dr. Jessup recalled the laborious and fruitless efforts of the three Governments to secure through negotiation the removal of the blockade and made clear their continued readiness to negotiate, provided the Soviet efforts at coercion through the blockade were dropped. He branded the blockade as a

threat to the peace under article 39 of the Charter. "A threat to the peace", he said, "is created when a State uses force or the threat of force to secure compliance with its demands." He then explained in detail that—

"Firstly . . . the United States is in Berlin as of right; secondly . . . the right to be in Berlin includes the right of access and responsibility for the maintenance of the population there; thirdly . . . the Soviet Government fully acknowledged these rights and responsibilities through specific agreements and through practice over the course of nearly three years; fourthly . . . the Soviet Government on one flimsy pretext after another has sought in violation of its obligations under the Charter of the United Nations to coerce the United States and France and the United Kingdom into abandoning Berlin and their rights and responsibilities in that city. . . . The salient feature of the case before the Security Council is that the Soviet blockade is still maintained and thus continues in existence the threat to the peace which it created."

Dr. Jessup pointed out that "the fact that this matter comes before the Council under Chapter VII of the Charter does not mean that the Council is precluded from using any of the machinery of pacific settlement suggested in any part of the Charter. . . . The Security Council has the greatest flexibility of action." The three powers did not come to the Council, he said, with any cut-and-dried formula for a solution. Although they had reserved to themselves full rights to take such measures as may be necessary to maintain in these circumstances their position in Berlin, they had not made a restricted or qualified submittal of the case to the Council. The reservation expressed simply the determination to take such measures as might be necessary to insure the safety and subsistence of our forces in Berlin and of the population committed to their charge by Four Power agreement, pending Security Council action. He stated that one such measure is the Allied airlift and that any such measures would be in conformity with the Charter. The United States hoped that the Security Council could assist in removing the threat to the peace and would be ready the moment the blockade was lifted to participate in a meeting of the Council of Foreign Ministers to discuss with the U.S.S.R. any questions relating to Germany.

After the Representatives of the United Kingdom and France had made similar presentations, the President adjourned the Council subject to further call by him. The members of the Council that were not directly involved in the dispute—Argentina, Belgium, Canada, China, Colombia, and Syria—then began exploratory talks under the leadership of the President, Mr. Bramuglia, to gather in-

formation about the points of view of the parties and to clarify the issues.

At a Security Council meeting on October 15 the six members reported on these talks and the President put two broad questions to the parties, suggesting that the answers might be given at a subsequent Council meeting. In the first question, the parties were asked to explain in detail the circumstances of the imposition of restrictions upon transport, communications, and trade and the current status of these restrictions. The second question concerned the circumstances of the joint directive of August 30, 1948, addressed by the Four Powers to their military governors in Berlin and the detailed reasons for the failure of the military governors to reach agreement on the basis of it.

The Representatives of the three Western Powers indicated at once their readiness to give this information. Mr. Vyshinsky, the Soviet Representative, recalled his previous declaration that he would not participate, and said that—

“. . . the very raising of these two questions here was dictated by nothing but a desire to drag the U.S.S.R. Delegation into a discussion of the Berlin question. . . . It is naive to believe that the U.S.S.R. Delegation will stick to this glue which has been spread over this piece of paper which is now called the Berlin question. . . . The U.S.S.R. Delegation will not submit any material to the Security Council.”

At the following meeting the Representatives of the three Western Powers gave their responses to the questions. In view of the full presentation of the facts which they had previously made, they needed only to provide added details.

The neutral group, after further discussions among themselves and with the parties, developed a draft resolution which was transmitted to the representatives of the parties. At the Council meeting on October 22 the six members presented the resolution. It called upon the Four Powers first to prevent any incident which would be of a nature to aggravate the situation in Berlin. Secondly, it called on them to put into effect simultaneously on the day of notification of the resolution to the four Governments (a) immediate removal by all parties of all restrictions on communications, transport, and commerce between Berlin and the Western zones and the restrictions on commerce to and from the Soviet zone and (b) an immediate meeting of the four military governors to arrange for the unification of currency in Berlin on the basis of the Soviet mark. The four military governors were to fix the conditions for the introduction, circulation, and continued use of the Soviet mark as sole currency for the whole of Berlin and to arrange for the withdrawal of Western mark “B”. All these currency measures

were to be in accordance with the terms and conditions defined in the joint directive of August 30, 1948, addressed by the Four Powers to their military governors in Berlin and to be carried out under the control of the Quadripartite Financial Commission. The currency change-over, under the terms thus fixed, was to be completed by November 20, 1948. Finally, the draft resolution called upon the four Governments, within 10 days after the completion of all the above measures, or on such date as might be mutually agreed upon by them, to reopen negotiations in the Council of Foreign Ministers on all outstanding problems concerning Germany as a whole.

After statements by the six representatives, the Council adjourned to give the parties an opportunity to study the draft resolution. On October 25, when the Council again took up the Berlin case, France, the United Kingdom, and the United States accepted the resolution as a fair compromise. Although it contained no express recognition that the Soviet blockade measures constituted a threat to the peace, it called for their immediate removal, concurrent with the *beginning* of negotiations looking toward the currency change-over. It thus would have removed the factor of coercion from these negotiations. However, Mr. Vyshinsky declared the intention of the Soviet Union to prevent adoption of the resolution by exercise of its veto right. He pointed out that the resolution did not provide "simultaneity" in the removal of the blockade and the currency change-over and argued that the resolution therefore "violated" the directive of August 30. The Soviet Union thus demanded that the Council treat the blockade as a legitimate measure, the withdrawal of which would be balanced against the currency concession to be made by the Western Powers, and thus assist the U.S.S.R. in achieving its objective through coercive methods.

The United States Representative then pointed out that the responsibility for the failure of the Council's efforts rested "squarely and unavoidably" on the Government of the U.S.S.R.:

" . . . We must", he said, "now ask, 'What does the Soviet Union want?'"

"Does it want a meeting of the Council of Foreign Ministers to discuss Berlin . . . or questions of Germany as a whole? The Soviet Government can have such a meeting without the threat to peace. We have told them that before. We repeat that promise. We have indicated our acceptance of the principle in our approval of the draft resolution. . . ."

"Does the Soviet Union want the Soviet zone mark to be established as the sole currency of Berlin under Four Power control, as Premier Stalin himself suggested? They can have that without maintaining the blockade. We have told them so before and we tell them so again."

"Does the Soviet Union want assurances that we do not want to use Four Power control of the currency in Berlin to damage or to control the general economy of the Soviet zone outside of Berlin? They can have such assurances without threat or violence. We have made that clear already. We make it clear again.

"Does the Soviet Union want guaranties to prevent the use of transport facilities for black-market operations in currency in Berlin? They can have such guaranties without resorting to duress. Again, it is a matter which we have told them before we would do, and we are ready to say so again.

"The United States has never intended to use currency as a means of adversely affecting the economy of the Soviet zone.

". . . if on the other hand the Soviet Union wants to drive us out of Berlin . . . that result they cannot get by maintaining their threat to peace. . . . If the Soviet Union wants us to work out technical details of the first four questions I put, under duress of maintenance of blockade measures, instead of through the process of free negotiation, again the answer to that question is 'No'. In short . . . the Soviet Government can get all it says that it wants without maintaining the blockade. With the blockade it can get neither what it says it wants nor what its actions seem to suggest it actually does want. It is the blockade which is the barrier and it is the Soviet Union which can lift the blockade.

". . . even now in spite of the fact that the Soviet Union has seen fit to indicate that it intends to block the efforts of the Security Council . . . the Berlin question can be settled on the basis of the program suggested in the draft resolution. . . . The three Western Governments have indicated their acceptance of the principles contained in that resolution. If the Government of the Soviet Union would give reciprocal assurances . . . it can be done."

The vote on the resolution was 9 to 2, only the Soviet Union and the Ukraine casting adverse votes. The U.S.S.R. vote prevented adoption of the resolution.

## Efforts Outside Council

Three days after the veto, on October 28, 1948, the Foreign Ministers of France, the United Kingdom, and the United States met and issued a communiqué stating that they stood by their expressed willingness to be guided by the principles of the draft resolution; that the matter was still on the agenda of the Security Council; that the Council was in a position to consider any development in the situation; and that as



members of the Council they would continue to discharge their responsibilities.

Two days later the Soviet point of view was sharply stated by Premier Stalin in a press interview. Attributing the efforts made by the non-Soviet members of the Security Council to "reactionary circles" and "warmongers" in the Western countries, chiefly the United States, he charged that two "agreements" to settle the case had been breached. One of these was the August 30 directive. Actually it is of course clear that the understandings leading to the August 30 directive were subject to agreement being reached by the military governors in Berlin. Because of Soviet repudiation of these understandings the military governors failed to reach agreement by the date set. Although the reference to the second "agreement" was never explained by the U.S.S.R., it seems to have been an unfounded allegation that the six neutral representatives and the Western representatives had suddenly reversed themselves and agreed outside the Council to the Soviet demand for "simultaneity".

In addition to the continuing efforts of the neutral group in the Security Council, Secretary-General Lie and Mr. Evatt, President of the General Assembly, sought to further a settlement. Early in November the Secretary-General announced that the Secretariat was studying the Berlin currency problem. On November 3 the General Assembly adopted a resolution proposed by Mexico, appealing to the great powers to renew their efforts to compose their differences and establish a lasting peace. Ten days later, Mr. Evatt and Mr. Lie sent a joint communication to the heads of the delegations of France, the U.S.S.R., the United Kingdom, and the United States referring to this appeal and urging that the four Governments should hold conversations and take any steps necessary to reach a solution of the Berlin problem. They asked that the four Governments lend active support to the mediation efforts of the President of the Council and, as far as they themselves were concerned, offered to lend any further assistance that might be most useful. The U.S.S.R. reply stated the earlier Soviet position, that the August 30 directive should be accepted as an agreement and that a meeting of the Council of Foreign Ministers should be held to consider the problems of Berlin and of Germany as a whole.

The Western Powers replied on November 17, stating that they were still ready to take part in the efforts of the Security Council to solve the Berlin problem. On the same day, noting that all Four Powers had replied and had indicated a desire for settlement of the issue, Mr. Evatt and Mr. Lie renewed their appeal that the Four Powers lend their support to the efforts at mediation by the President of the Security Council.

The group of six neutral members of the Security Council had, in the meantime, initiated studies of the currency problem. Through Mr. Bramuglia, the following questions were directed to the four parties concerning the implementation of the August 30 directive:

1. Which organ is to exercise quadripartite control of the financial arrangements on behalf of the four occupying powers?
2. What are to be the functions of the organ for quadripartite control?
3. Over what financial operations and in what areas should quadripartite control be exercised?
4. What should be the exact wording of the directive to be released for the implementation of quadripartite control?
5. How will control over trade between Berlin and the Western zones of Germany and third countries, including the issue of export-import licenses, be exercised?

On November 26 Mr. Bramuglia made public the replies which he had received. The Soviet reply confined itself to generalities which did not go beyond or suggest means for carrying out the terms of the August 30 directive itself. That of the three Western Powers laid the greatest stress on the necessity of effective quadripartite control. They pointed out that they had stated their willingness to meet the Soviet insistence that the Soviet zone currency should be made the sole legal tender in all Berlin, but only on condition that the military governors could work out satisfactory arrangements to assure the provision of adequate currency and credit in all sectors of Berlin with effective quadripartite control over the practical implementation of such arrangements. They would not in any circumstances agree that the Soviet authorities should exercise sole and unrestricted control over the currency and finances of Berlin.

## Developments in Berlin

In late November and early December 1948, developments in Berlin itself increased greatly the difficulties in the way of agreement on a uniform currency. Up to that time, the Soviet authorities in Berlin had, in various ways, increasingly isolated the Soviet sector from those occupied by the Western Powers. Their efforts, directed especially at splitting the city administration, were accelerated greatly in November and finally culminated in a complete split of the city government. This, coupled with similar measures in other fields, went far toward making impossible the development of any system of quadripartite currency control on which the Western Powers would be justified in relying.

Under the temporary constitution for Berlin, approved by the Allied Coordinating Committee, the city officials who were elected in October 1946 were to hold office for two years. New elections were thus necessary in 1948, and duly elected German officials decided to hold these elections. The Soviet authorities, however, forbade the holding of elections in their sector, and the Communist-front parties throughout the city refused to participate. On November 30, 1948, a meeting of selected Communists and Communist-front organizations, held under the sponsorship of the Soviet authorities, purported to elect a new provisional government for all Berlin. This body, for which no legal basis exists, has been treated as the governmental authority of the Soviet sector and was undoubtedly brought into being as an excuse for the failure to permit participation of the Soviet sector in the elections of December 5 and as a rival government to that which would result from those elections.

The elections, which were held on December 5 despite Soviet and Communist-front opposition of every sort, registered so heavy a non-Communist vote (86.2 percent) as to show a definite trend toward the non-Communist democratic parties.

The Representatives of France, the United Kingdom, and the United States brought these events to Mr. Bramuglia's attention on December 5, pointing out that the *de facto* political division of the city made the establishment of a unified currency extremely difficult and that the currency experts would need to take it into account. They made clear once more, however, their continued willingness to cooperate in seeking a solution of the currency problem.

### Technical Committee on Currency and Trade

On November 30 Mr. Bramuglia made public a further step in his exploration of the currency problem. "In the exercise of his powers" as President of the Security Council he established a Technical Committee on Berlin Currency and Trade, consisting of experts named by the six noninvolved members of the Security Council. The Committee was directed to study and make recommendations to the President of the Council on the most equitable conditions, taking into account the August 30 directive as well as subsequent events, for agreement relating to the introduction, circulation, and continued use of a single currency for Berlin under adequate Four Power supervision, and regulations for the import and export trade of Berlin. The Secretary-General was invited to name an expert to work with the Committee. The Committee was authorized to consult with experts of the four occupying powers and was required to submit its report within 30 days. In promising cooperation with the neutral experts the

Western Powers repeated their reservation to take such measures as may be necessary to maintain their position in Berlin, pointing out that they could not agree to be bound to submit to all Soviet measures which aggravate the Berlin situation, while the Soviets remained uncommitted to any restraint.

### APPEAL TO GREAT POWERS

On September 28, 1948, the Representative of Mexico proposed to the General Assembly, in the course of a speech in the general debate, the adoption of a resolution appealing to the Great Powers to renew their efforts to compose their differences and establish a lasting peace. On October 21, in the Political and Security Committee, the Representative of the United States declared that the United States Delegation was in agreement with the principle which was at the basis of that draft, according to which the Great Powers must employ to constructive ends the power of initiative which their wartime effort had earned them. There was not only a right, but a responsibility which they could not eschew. The United States Delegation hoped, however, that the Mexican draft would not be regarded as a technical resolution, as its intention was clearly to record the justified concern of all United Nations Members for the early conclusion of the peace treaties. Without objection to this interpretation, the Committee established a subcommittee, upon which the United States was represented, to consider the draft resolution together with amendments which had been submitted by the Delegations of France and the U.S.S.R., with a view to reaching an agreed text.

The subcommittee at its first meeting on the same day reached unanimous agreement on a text the operative provisions of which recalled the determination of Messrs. Churchill, Roosevelt, and Stalin, expressed at Yalta on February 11, 1945, to build in cooperation with other peace-loving nations a world order under law, dedicated to peace, security, and the general well-being of all mankind, which they acknowledged could be realized only with continuing and growing cooperation between their respective countries and among all peace-loving nations; endorsed these declarations and expressed the confidence of the General Assembly that the Great Powers would conform to their spirit; recommended that the Powers signatory to the Moscow agreements of December 24, 1945, and the Powers which subsequently acceded thereto, redouble their efforts to secure as promptly as possible a final settlement to the war; and recommended that these Powers associate with themselves the states which subscribed and adhered to the Washington declaration of January 1, 1942.

This text was unanimously approved by the Political and Security Committee on October 22 and was in like fashion unanimously approved by the General Assembly in plenary session on November 3, 1948. It stands as an expression of the disquiet felt by all Members of the United Nations over the continuing differences of opinion among the Great Powers with regard to the peace settlements and as an evidence of their belief that these settlements must be promptly concluded if the United Nations is to function with the fullest possible effectiveness.

### KASHMIR QUESTION

On January 1, 1948, the Government of India brought a complaint before the Security Council charging the Government of Pakistan with having provided assistance to raiders who were attacking the State of Jammu and Kashmir, considered by India as a part of its territory. In a reply dated January 15, 1948, the Government of Pakistan denied the allegations and entered a series of countercharges.

Jammu and Kashmir is one of more than five hundred Princely States whose status was left undetermined at the time of the creation of the Dominions of India and Pakistan in August 1947. Shortly afterwards, fighting broke out in Kashmir for a variety of reasons between State forces on the one hand and raiding tribesmen and elements in rebellion against the Maharaja on the other. The Maharaja appealed to the Government of India for armed assistance, at the same time requesting the accession of the State to India. India accepted the accession of the State and dispatched troops to assist the State Government but stated that "as soon as law and order have been restored in Kashmir, and her soil cleared of the invader, the question of the State's accession should be settled by a reference to the people."

In its discussion the Security Council sought to facilitate a solution rather than to assess blame. On January 20 it adopted a resolution establishing a three-member commission with instructions to proceed to India and Pakistan to exercise functions of good offices and investigation on the spot. Through informal consultations with representatives of the two Governments, initiated by the President, the Council then endeavored to draft proposals for settlement of the dispute acceptable to the parties. As a result the Security Council on April 21, 1948, adopted a resolution sponsored by the United States, Belgium, Canada, China, Colombia, and the United Kingdom providing for the restoration of peace and order and the holding of a plebiscite to determine the future status of the State of Jammu and Kashmir. Also, the membership of the commission established in the resolution of Jan-

uary 20, but not yet constituted, was increased to five. Although both parties objected to parts of the resolution, they did not object to the dispatch of the commission which, as finally composed, consisted of representatives of Argentina, Belgium, Colombia, Czechoslovakia, and the United States. The United States was represented by J. Klahr Huddle, United States Ambassador to Burma.

Upon its arrival on the subcontinent the commission was informed by Pakistan that Pakistan troops had in May been introduced into the State of Jammu and Kashmir. This action, the Prime Minister explained, had been made necessary by an Indian offensive launched the previous month. In New Delhi, the Government of India insisted that the Pakistan troops be withdrawn before any further discussions were undertaken as to the final solution of the problem. On its part, the Government of Pakistan maintained that it could withdraw its troops only if the troops of India were likewise withdrawn and assurances given that a fair plebiscite to determine the future of the State would be held.

After a careful consideration the commission on August 13, 1948, presented, for acceptance by the two Governments, a three-part resolution which provided for a cease-fire, a truce agreement, including the withdrawal from the State of Jammu and Kashmir of Pakistan troops, tribesmen, intruding Pakistan nationals, and the bulk of the Indian army, and a reaffirmation of the wish of the two Governments that the future status of this State be determined in accordance with the will of the people.

Following an exchange of correspondence concerning the interpretation of various provisions of the resolution, the Government of India on August 25 accepted the resolution as a whole. The Government of Pakistan on September 6 accepted the resolution subject to the condition that interpretations given by the commission to each Government were acceptable to the other Government and also that the Government of India agree to those provisions in the April 21 resolution of the Security Council relating to the holding of a plebiscite. These conditions were believed by the commission to go beyond the compass of its resolution, and, in view of the position of the Government of India that it could not enter upon further discussions until the Government of Pakistan had unconditionally accepted the resolution, the commission returned to Geneva, Switzerland, and prepared an interim report to the Security Council.

On November 8 the commission transferred its activities from Geneva to Paris and began informal discussions with representatives of India and Pakistan on the possibility of elaborating proposals for the holding of a plebiscite in the State of Jammu and Kashmir.

On December 11 the commission submitted plebiscite proposals which it urged the two Governments to accept in their entirety. In order to provide any necessary explanations thereof, the commission dispatched one member, Dr. Alfredo Lozano (Colombia) to the subcontinent. Following conversations with him in the course of which certain interpretations and clarifications were provided, India and Pakistan on December 23 and 25 respectively signified their acceptance of the proposals.

These proposals provide for the holding of a plebiscite to be conducted by a plebiscite administrator nominated by the Secretary-General in agreement with the commission. The administrator is, however, to be formally appointed by the Government of Jammu and Kashmir and is to derive from that State the powers he considers necessary for organizing and conducting the plebiscite and for insuring its fairness and impartiality. Provision is made, following implementation of parts I and II of the commission's resolution of August 13, 1948, for consultation to determine the final disposal of all armed forces within the State. All civil and military authorities in the State and principal political elements therein are to be required to cooperate with the administrator in the preparation and holding of the plebiscite. All citizens of the State who have left on account of the disturbances are to be invited and are to be free to exercise all their rights as citizens. Persons who since August 15, 1947, have entered the State for other than lawful purposes are to be required to leave the State. A detailed series of civil and political rights is guaranteed.

These proposals were formalized by the commission in a resolution adopted January 5, 1949. Meanwhile, the Governments of India and Pakistan, believing that "with acceptance of these proposals there remained no reason for continuation of hostilities", arranged for a cease-fire in Jammu and Kashmir to come into effect at one minute before midnight on January 1, 1949, precisely one year after the presentation of the Indian complaint to the Security Council.

In the light of these agreements the commission decided to return immediately to the subcontinent to carry out its responsibilities with reference to the cease-fire and truce agreements and the plebiscite principles. A military observer, Lt. Gen. Maurice Delvoie, of Belgium, arrived on the subcontinent January 2, 1949. It was planned that he would be joined shortly by military observers to assist in supervision of the observation of the cease-fire and truce arrangements. It was also anticipated that an outstanding person would be nominated as plebiscite administrator and that he would formally undertake his duties as soon as the cease-fire and truce arrangements had been carried out.

## TRIESTE QUESTION

In January 1947 the Security Council approved the terms of the Italian peace treaty providing for the establishment of a Free Territory of Trieste and accepted certain responsibilities in that connection, particularly that of assuring the independence and integrity of the Free Territory. The coming into force of the Italian treaty, on September 15, 1947, made this responsibility an active one. The area of the Free Territory has remained divided into two separate zones, one under the administration of the American-British military command (the city and port of Trieste and a small rural area), and the other under the Yugoslav military command (a predominantly rural area to the south of the city). Article 1 of annex VII of the peace treaty provides for the continuation of such separate administration of the two zones pending the assumption of office by a Governor.

The British and American Governments have furnished the Security Council during the past year with regular quarterly reports on the administration of their zone, in which British General T. S. Airey is commander. The Yugoslav Government recently sent the Security Council a report on the military administration of their zone over the past year. This was done after repeated references were made in the Council last summer to the absence of such reports from the Yugoslav Government.

The protracted division of the area has been due to the inability of the Security Council to agree on the appointment of a Governor, without whom it would be impossible to progress toward unification of the two zones and place the Permanent Statute for the Free Territory into effect. Periodic discussions in the Security Council in 1947 had failed to produce agreement on a candidate for Governor. In December of that year, the Council asked the Governments of Italy and Yugoslavia to consult with each other in an effort to agree on a candidate they might jointly propose. The Italo-Yugoslav talks produced no agreement, and in January 1948 the permanent members of the Council were asked to consult on the problem. With the Soviet Union differing from the views of the four other permanent members, the deadlock was passed back to the Security Council which decided, in March 1948, to postpone further discussion.

Convinced that conditions in the Free Territory of Trieste had reached the point at which the treaty settlement for Trieste had become unworkable, the United States, the United Kingdom, and France, on March 20, 1948, proposed that the Soviet Union and Italy join them in agreement on an additional protocol to the Italian peace treaty which would provide for the return of the Free Territory to Italy. The



three powers pointed out that Security Council discussions of a Governor had shown that agreement was impossible. They referred specifically to evidence that the Yugoslav zone had been "completely transformed in character" and had been virtually incorporated into Yugoslavia so that the intended independent and democratic status of the Territory was compromised. In view of such conditions the three Governments asserted that the existing settlement for Trieste "cannot guarantee the preservation of the basic rights and interests of the people of the Free Territory".

The Italian Government expressed agreement with the proposal. The Soviet Government, replying in April to two communications from the United States on the subject, indicated a generally unfavorable attitude toward the proposed procedure for revising a part of the Italian treaty settlement. However, the Soviet Government has neither accepted nor rejected the substance of the proposal.

On June 1, 1948, a further note was sent to the Soviet Embassy in Washington, reiterating the American Government's belief that a suitable procedure should quickly be found to bring about the return of the Free Territory to Italy. Similar notes were also sent by the British and French Governments. The notes again requested the views of the Soviet Government on the appropriate procedure to be followed. This last approach has also remained unanswered.

It continues to be the view of the United States, British, and French Governments that the solution of the Trieste problem envisaged in the peace treaty has become unworkable and that under the circumstances the return of the entire area of the Free Territory to Italy would provide the only just and practicable solution. The United States, British, and French Governments have subsequently reiterated their continued support of such a solution as first proposed in our joint statement of March 20, 1948.

In the spring and summer of 1948 the British-American military administration, on behalf of their zone of the Free Territory, concluded several financial accords with the Italian Government for the regulation of the use of the Italian lira as legal tender in that zone and for the supply of lire and foreign exchange by Italy, as well as on other trade and financial matters. This was in implementation of article 11, annex VII, of the Italian peace treaty, which calls for such arrangements between Italy and the provisional authorities of the Free Territory "pending the establishment of a separate currency regime for the Free Territory". The agreements did not prejudice the freedom of action of any future government of the Free Territory.

Yugoslavia on July 28, 1948, seized upon those financial accords, which had been duly published, to charge before the Security Council

that there had been a violation of the peace treaty by the Allied military administration. The latter was accused of seeking to incorporate Trieste into Italy by economic means and of thus jeopardizing the Territory's independence. The Security Council debated the matter between August 10 and 19, 1948. During the course of the debate, frequent references were made to the noticeable absence at that time of any reports to the Council on the Yugoslav administration of their zone.

Throughout the debate the Yugoslav spokesman was supported by the Representatives of the Soviet Union and the Ukraine. Both the American and British Representatives made ample statements to the Council on the conformity with the terms of the treaty of the financial agreements in question. At the conclusion of the debate two draft resolutions were placed before the Council. One, formulated by Yugoslavia and sponsored by the Ukraine, called for nullification by the Council of the financial agreements as contrary to the peace treaty. A second, proposed by the Ukraine, sought to transfer the Council's attention to the separate question of the appointment of a Governor and embodied a declaration by the Council that this matter should be urgently settled. The Yugoslav motion failed with 9 of the Council members simply abstaining, while the Soviet Union and the Ukraine voted affirmatively. The second proposal also failed when 6 members abstained and 4 voted affirmatively.

Considerable aid has gone from the United States in the effort to promote the economic recovery of the United States-United Kingdom zone of Trieste, whose normal rate of economic activity has been disrupted not only by the war but by the political and economic aftermath of the war in that part of Europe which the port is equipped to serve. This problem has been heightened by the economic difficulties inherent in the existence as an independent territory of such a small area virtually devoid of natural resources. Through September 1948 the zone received relief supplies from the United States designed to provide food for the population and to prevent economic retrogression.

On October 14, 1948, the Anglo-American zone of the Free Territory was admitted to the Organization for European Economic Co-operation. On October 15 an economic-cooperation agreement was signed in Trieste between the authorities of the United States-United Kingdom zone and of the United States Government. These two steps opened up expanded possibilities of assisting in the restoration of a healthy economic life for Trieste within the larger framework of broad European recovery. An Economic Cooperation Administration mission

is now established in Trieste to supervise the provision of United States aid for the recovery program.

On October 24, Yugoslavia submitted a new complaint to the Security Council against the Anglo-American administration of their zone of Trieste. The Yugoslavs took exception to the United States-United Kingdom military government's agreement for the zone's participation in the European Recovery Program, to the military government's conclusion of certain financial arrangements for the zone, and to other administrative measures of the military government.

As of the end of 1948, the Security Council had not scheduled any meetings for formal consideration of this matter.

### HYDERABAD

On August 15, 1947, the suzerainty of the British Crown over the various Indian States was terminated. Hyderabad, one of the most important of the States, did not accede to either of the two new dominions of India or Pakistan. Hyderabad is located in the center of the Dominion of India, and a large majority of the population is Hindu, although the Nizam is a Moslem and his Government was composed principally of Moslems. On November 29, 1947, the Nizam entered into a one-year "stand-still agreement" with India which placed the conduct of Hyderabad's external relations in the hands of the Government of India. However, the relations between the Government of India and the Nizam became strained and efforts to reach agreement on the basis of permanent accession to India proved fruitless.

The problem of relations between the two Governments was placed before the Security Council through a complaint by the Nizam of Hyderabad dated August 21, 1948, in which it was alleged that action by the Government of India involving intimidation, economic blockade, and frontier violations threatened the existence of Hyderabad and constituted a grave dispute the continuance of which was likely to endanger the maintenance of international peace and security.

The matter was discussed in the Security Council on September 16 with representatives of India and Hyderabad present. Although some doubt was expressed by certain members as to whether Hyderabad was a "state" within the meaning of that article of the Charter which permits a state to bring a complaint to the attention of the Security Council, the Council decided, with the United States Representative voting in favor, to place the matter on its agenda for discussion without prejudicing the merits of the case.

Meanwhile, on September 14, 1948, India had sent its army across the borders of Hyderabad and had begun the reoccupation of the strategic positions which it had held prior to the conclusion of the stand-still agreement. The Nizam shortly thereafter dismissed his Government, pledged his full cooperation with the Indian authorities, placed extensive powers in the hands of the Indian military governor, and ordered his delegation in Paris to withdraw the complaint from the Security Council. Pakistan took special interest in Hyderabad's case and representatives of Pakistan subsequently sought to bring about further Security Council consideration of the case.

The situation was again discussed by the Council on September 27 and 28. The Representative of India reported briefly on the state of affairs in Hyderabad and reiterated the intention of the Government of India to assure the people of the State full opportunity to determine the relationship of Hyderabad to India and to decide upon the form of government within the State. There was further general discussion, but no action was taken to remove the matter from the agenda of the Council.

On December 6, 1948, information was made public that the Nizam of Hyderabad had issued a decree calling for the preparation of electoral rolls as the first step toward the summoning of a constituent assembly which would frame a constitution for Hyderabad and which would be expected formally to decide the question of accession to India.

## INDONESIA

The dispute between the Netherlands and the Republic of Indonesia was brought to the attention of the Security Council by Australia and India following military action taken by the Netherlands forces against the Republic on July 20, 1947. At that time, by a resolution adopted on August 1, 1947, the Council called on both parties to cease hostilities and to settle their dispute by arbitration or other peaceful means. Thereafter, pursuant to a further resolution, a Committee of Good Offices, consisting of representatives of the United States, Australia, and Belgium was established, which began its work in Indonesia in October 1947. Its function was to assist the parties in reaching an agreement on truce arrangements in accordance with the Security Council's cease-fire order, as well as on the larger question of their political differences.

As a result of protracted negotiations held aboard the U. S. S. *Renville* under the auspices of the Good Offices Committee, a detailed program for a military truce and a set of principles to serve as a basis for a political settlement were worked out. This program became the

basis for the Renville agreement, which was accepted by both parties on January 17, 1948.

The Renville agreement consisted of three parts: a truce plan, 12 principles designed to serve as a basis for a further political agreement, and 6 additional principles proposed by the Committee and formally accepted by the parties. The political principles provided for the establishment of a sovereign, democratic, federal United States of Indonesia, of which the Republic was to be a component part, and for the transfer of Netherlands sovereignty to the United States of Indonesia at the end of a "stated interval". During the interim, sovereignty was to remain in the Netherlands and all States were to be granted fair representation in a central interim government. Plebiscites or elections were to be held in the various territories of Java, Madura, and Sumatra to determine whether those areas desired to form a part of the Republic or another State within the United States of Indonesia. Following this delineation of States, a constitutional convention, based upon proportional representation, was to be held to frame the constitution of the United States of Indonesia. Upon formation, the United States of Indonesia was to be linked in equal partnership with the Kingdom of the Netherlands in a Netherlands-Indonesian Union. The political principles provided that the Good Offices Committee should continue to assist the parties in arriving at a final political agreement in accordance with these principles.

The Good Offices Committee immediately undertook to bring the parties together to negotiate a final political agreement. It was some weeks, however, before either party submitted any formal proposals. When eventually working papers were submitted by both parties to the negotiations held under the Committee's auspices, it was apparent that there were wide areas of disagreement on implementation of the Renville principles. When it became apparent that no progress was being made in the negotiations, the representatives of the United States and Australia, in an effort to break the impasse, submitted informally to the Netherlands Delegation and the Republican Delegation a plan for an over-all political settlement. The principal feature of the United States-Australian plan was a provision for elections in Java, Sumatra, and Madura to a constituent assembly which would have the two-fold task of selecting an interim government for the exercise of executive authority prior to the transfer of sovereignty and the drafting of a constitution for the United States of Indonesia. This plan was accepted by the Republic of Indonesia as a basis for further negotiations but was rejected by the Netherlands.

On September 10 the United States representative on the Good Offices Committee again took the initiative to assist in bringing the

parties together and submitted informally a working paper in the form of a draft agreement on the basis of which it was hoped that negotiations would be promptly resumed. The United States draft agreement was designed to carry forward the principles of the Ren-ville agreement. It provided for a free and democratic election to a constituent assembly which would draft a constitution and establish a representative, democratic, federal government. The Republican Government notified the United States Delegation of its acceptance of the United States draft agreement as a basis for the resumption of negotiations. The Netherlands Government notified the United States Delegation of its acceptance but attached to its acceptance amendments of such a nature as to alter the fundamental structure of the plan. At the same time, as a condition to the resumption of negotiations the Netherlands insisted that the questions of infiltrations into Netherlands territory and truce violations should be the first matters discussed. In the meantime, the Netherlands Parliament adopted legislation authorizing the setting up of a provisional federal government in Indonesia within a definite framework. The Republican Government was thus faced with a crystallized situation wherein a government would be formed without their having participated in the creation of it. In November Dutch officials went from The Hague to Indonesia to hold conversations looking toward the resumption of negotiations. On this occasion, the Netherlands Foreign Minister, Dirk U. Stikker, and the Republican Prime Minister, Dr. Mohammad Hatta, had a number of conversations which it was hoped would provide a basis for the resumption of negotiations. The results of these talks were reported by Mr. Stikker to his Cabinet at The Hague, and Mr. Stikker and other high Netherlands officials returned to Indonesia to resume the discussions. The conversations broke down on the basic question of the powers that should reside in the High Commissioner of the Crown in the interim government. There seems to have been some misunderstanding of Dr. Hatta's position, and in an effort to clarify it the Republican Prime Minister confirmed and elucidated his position in a series of papers to Mr. Stikker. Throughout this difficult period Merle Cochran, the United States Government's third representative on the Good Offices Committee, exerted every effort to bring the parties together. His efforts failed, however, when on December 18 the Netherlands Government instituted military action. In a few days the Netherlands Government occupied the major cities in the Republican territory in Indonesia and imprisoned the President of the Republic, the Prime Minister, and other high government officials.

On December 19 the United States requested an emergency session of the Security Council to deal with the Indonesian situation as being one likely to threaten international peace and security.

On December 22, Dr. Jessup, our Representative in the Security Council, spoke on the Indonesian situation expressing the concern of this Government that hostilities had been resumed in Indonesia without adequate notification either to the Good Offices Committee or to the Republic of the termination of the truce as provided for in the Renville agreement. Dr. Jessup declared further that "after carefully studying the material thus far made available by the Committee, my Government fails to find any justification for renewal of military operations in Indonesia. This is particularly true in light of the fact that there has been a resort to force following a period of seven months in which the resources of the Committee of Good Offices have not been utilized."

Indication of this failure to utilize the procedures of pacific settlement available through the Committee of Good Offices was further substantiated by letter to the chairman of the Netherlands Delegation in Batavia from our representative on the Committee of Good Offices. "In the light of the above record," said Dr. Jessup, "and in view of the recent events in Indonesia, my Government is unable to conclude that the Netherlands has either consistently or conscientiously endeavored to exhaust all possibilities of resuming negotiations under the Committee's auspices."

Our Representative to the Security Council stated that the United States Government considered "that the Council today is faced with at least as grave a situation as that of August 1947 and we believe that the Council must act accordingly. . . . It is hardly necessary for me to emphasize again the seriousness with which my Government views the failure, by either party, to comply with the Council's cease-fire order. It is our considered view that the renewed outbreak of hostilities in Indonesia may prove to be a grave threat to international peace. Accordingly, in concert with Colombia and Syria the United States has submitted a draft resolution to the Council. . . ."

This resolution called upon the parties to cease hostilities at once, to release political prisoners, and to return their troops to the *status quo* line agreed to in the Renville agreements, and called upon the Good Offices Committee to make further reports, including an assessment of responsibility for the outbreak of hostilities. Except for the paragraph dealing with the withdrawal of troops this resolution was adopted by the Council on December 24. On December 28 the Council passed another resolution noting that the Netherlands had not so

far released the President of the Republic and all other political prisoners and called upon the Netherlands Government to set these political prisoners free forthwith and to report to the Security Council within 24 hours of the adoption of the resolution. On the same day the Council requested the consular representatives in Batavia to inform the Council of the situation in the Republic concerning the observation of the cease-fire order and the conditions prevailing in areas under military occupation.

The Netherlands Government advised the Council that hostilities in Java would cease by December 31 and, because of special circumstances, within a few days thereafter, in Sumatra. The Republican representative advised that in view of the imprisonment of his Government he could not advise the Council of his Government's response to the Security Council resolution. The situation at the year's end was still before the Council with the continued noncompliance by the Netherlands with its resolutions.

### CZECHOSLOVAKIA

As the result of a seizure of political power during a cabinet crisis in Czechoslovakia from February 20 to 25, 1948, a new government was formed, and there was concluded the process through which that country was brought under complete Communist domination. The Governments of the United States, France, and Great Britain issued a statement on February 26, 1948, in which they noted that, by means of a crisis artificially and deliberately instigated, the use of methods already tested in other places had permitted the suspension of the free exercise of parliamentary institutions and the establishment of a disguised dictatorship of a single party under the cloak of a government of national union; and they announced that they could but condemn a development the consequences of which could only be disastrous for the Czechoslovak people.

On March 10 Jan Papanek, who had been named Permanent Representative of Czechoslovakia to the United Nations by the Government of that country prior to the *coup*, addressed to the Secretary-General of the United Nations a communication requesting that the Czechoslovak situation be brought to the Security Council for consideration as endangering peace and security. Mr. Papanek asserted that the Communist minority which had assumed control of the Government of Czechoslovakia had been encouraged by promises of help from the U.S.S.R.; that representatives of the Government of the U.S.S.R. led by V. A. Zorin, Deputy Minister of Foreign Affairs, had come to Praha for that purpose; and that the political independence



of Czechoslovakia had thus been violated by threat of the use of force by the U.S.S.R. in contravention of paragraph 4, article 2, of the Charter. Mr. Papanek requested investigation by the Security Council of a situation which he held to fall within the terms of article 34 of the Charter.

On March 12, 1948, the Permanent Representative of Chile to the United Nations requested the Secretary-General to refer the question raised by Mr. Papanek to the Security Council and to communicate to the Council his petition that Chile be invited to participate in the discussion of the matter when it should be brought before the Security Council.

The Security Council placed the Chilean complaint on its agenda at its 268th meeting held on March 17, 1948, and considered it at nine meetings.

Mr. Papanek, who was invited to address the Council, confirmed and amplified his written charges regarding Soviet intervention in connection with the *coup*. The Representatives of the Soviet Union and the Ukrainian S.S.R. declared that the charges against the former country were "utter fiction" and that their submission had been motivated by the desire to divert world attention from alleged interference by the United States and the United Kingdom in the internal affairs of Czechoslovakia; the change of government which had taken place there was, according to these statements, effected through constitutional means and as a consequence of a freely taken decision of the Czechoslovak people.

The Representative of Chile, who had been invited to take part in the discussions, maintained on the contrary that the statements made by Mr. Papanek were *prima facie* well founded and that they justified investigations under article 34 for the purpose of discovering whether they were indeed accurate. The Representative of the United States, after rejecting the Soviet and Ukrainian countercharges, emphasized the similarity between facts of the developments in Czechoslovakia, which were a matter of common knowledge, and developments which had taken place elsewhere throughout eastern and central Europe; while details varied, the general pattern was the same. All the facts in this case were not readily apparent and could not be alleged in advance, but the seriousness of the allegations already made was such that the Security Council was bound to make every effort to get the facts. The Representatives of the United Kingdom, France, Belgium, Argentina, Syria, China, and Canada assumed positions similar to that taken by the Representative of the United States.

A draft resolution was presented by Chile to provide for a subcommittee of the Security Council to hear witnesses and obtain further

information relevant to the Czechoslovak case for the Council's consideration. While the Representative of the United States argued that the resolution was clearly procedural in that it sought a decision to establish a subsidiary organ under article 29 of the Charter, which is one of the five articles grouped under the title "Procedure" in chapter V dealing with the Security Council, the Representative of the Soviet Union contended that this was not the case and that the resolution in effect provided for an investigation which was subject to the veto.

Relying upon paragraph 2, part II, of the San Francisco Four Power statement, which provides that the decision as to whether or not a matter not specially provided for is procedural must be taken by a vote of seven members of the Security Council, including the concurring votes of the permanent members, the Representative of the U.S.S.R. demanded and secured a vote upon this question. He himself cast a negative vote, thereby vetoing the thesis that the matter was procedural although this was upheld by the votes of eight states. When the vote on the Chilean resolution, now considered as not being procedural, was taken, he again cast a negative vote constituting a second veto, despite the favorable votes of nine states.

By this exercise of the so-called "double veto" he thwarted the purpose of nine states to allow the Council to secure, through its own initiative, further information on the case which would enable it to reach a decision on the substance. The Representative of the United States declared that this opposition to the establishment of a fact-finding subcommittee, plus the refusal of the new Czechoslovak regime to appear at the Council table as requested, had certainly in no way contributed toward dispelling the grave implications arising out of the charges of foreign interference in the affairs of Czechoslovakia, as alleged in the original complaint and in the course of the Security Council's proceedings. The Representatives of the United States, Great Britain, and France announced that their Governments would complete the Council's records by supplying statements on the circumstances of the case from politically prominent Czechoslovak nationals, generally respected in their country, who had escaped from Czechoslovakia since the *coup d'état*.

## OTHER PROBLEMS

### Italian Colonies

Under article 23 and annex 11 of the treaty of peace, Italy renounced all right and title to her African colonies—Libya, Eritrea, and Italian Somaliland. The treaty provided that final disposition of these pos-

sessions was to be determined jointly by the Governments of the Soviet Union, the United Kingdom, the United States, and France within one year of the treaty's coming into force on September 15, 1947. The Deputies of the Foreign Ministers considered the question until August 31, 1948, taking into account the reports of a Commission of Investigation which visited all the former colonies, and the views of other interested governments. In September 1948, the Council of Foreign Ministers met in Paris but failed to agree on the disposition of the colonies. In accordance, therefore, with the treaty, the Four Powers referred the matter to the General Assembly of the United Nations for its recommendation. Under the treaty, the Four Powers have agreed to accept such a recommendation and to take appropriate measures to put it into effect.

Because of its crowded agenda, the General Assembly at its Third Session in Paris was unable to consider this item and decided to carry the matter over to the April 1949 session of the Assembly in New York. Pending their final disposal, in accordance with the provisions of the treaty, these territories remain under their present administration, which is British for all the territories except the Fezzan in Libya, which is under French military administration.

### Treatment of Indians in South Africa; Spain

The matter of the treatment of Indians in the Union of South Africa, which had been considered by the General Assembly during the course of its meetings in 1946 and 1947, was placed on the agenda of the Third Session at the request of the Government of India. Renewed discussion of the question of Spain at the Third Session was suggested by the Government of Poland. With the pressure of other problems which came before the Paris meeting, neither of these questions reached the stage of active consideration, and both were deferred until the Second Part of the Session.

The Security Council made brief reference to the Spanish question on June 25, 1948, after the Secretary-General had transmitted to it the 1947 General Assembly resolution. The votes necessary to place the question on the agenda were not cast. The Representatives of the Soviet Union and the Ukrainian S.S.R. voted in favor of such action, the Representative of Argentina opposed it, and the remaining eight representatives on the Council abstained.

## Organizational Questions

### CONTINUATION OF INTERIM COMMITTEE

General Assembly resolution 111 (II) of November 13, 1947, established the Interim Committee for one year over the opposition of the Soviet Union and five other similar-minded Members. This resolution directed the Committee, along with its other duties, to report to the next regular session on the advisability of establishing a permanent committee of the General Assembly to perform the duties of the Interim Committee with any changes considered desirable in the light of experience.

With six members, including the Soviets, not participating, the Interim Committee began the study of this question in April 1948. After surveying the various possible fields of activity of such a committee, it decided that at least the present scope of activity should be maintained. A considerable amount of opinion favored vesting budgetary and administrative functions in the Committee as well, and this question was left to the General Assembly by the Interim Committee without recommendation.

It was agreed that the Interim Committee had shown itself useful and should be continued. It was also agreed that the Committee's existing powers and functions should be maintained and that, in addition, it should be authorized to request advisory opinions from the International Court of Justice on legal questions arising within the scope of its activities. Paragraph 2(c) of the resolution, which authorized the Committee to study and report on methods for implementing the general principles of the maintenance of international peace and security and for promoting international cooperation in the political field, was strengthened to take account of the work in this field accomplished during the past year by the Committee. Finally, it was recommended that in appropriate instances the General Assembly by resolution authorize *ad hoc* committees and commissions of the General Assembly to seek advice from the Interim Committee or authorize the Interim Committee to assist in the implementation of General Assembly resolutions. Differences of opinion led the Interim Committee to leave to the General Assembly, without recommendation, the decision as to the period of time for which the Committee would be continued. The report of the Interim Committee, embodying these conclusions, was referred by the General Assembly to its *Ad Hoc* Political Committee.

Largely as a result of the thorough consideration already given to the subject by the Interim Committee itself, the *Ad Hoc* Political

Committee was able to come to its conclusions quickly. The debates made it clear that a large majority considered that the Interim Committee had accomplished useful work and should be continued. In view, however, of the fact that Member States had not made use of one of the Interim Committee's most important functions—the preliminary consideration of disputes and situations for action by the General Assembly itself—of the necessarily short experience of the Interim Committee in its other functions, and of the continuing search for the most effective means of organizing the Assembly's work, the *Ad Hoc* Political Committee decided, with little opposition, to continue the Interim Committee experimentally for another year before reaching a decision as to its permanence.

On November 20, 1948, the *Ad Hoc* Political Committee adopted with only slight changes the draft resolution proposed by the Interim Committee. The Assembly on December 3, 1948, adopted the resolution by 40 to 6, with 1 abstention. Throughout the discussions, the six members of the Soviet group stated their objections to the Interim Committee in much the same terms as had been used the preceding year.

In its resolutions relating to Greece and Korea, the General Assembly authorized the two Commissions entrusted with the main responsibility on these problems—the United Nations Special Committee on the Balkans and the Temporary Commission on Korea—to consult with the Interim Committee with respect to the performance of their functions in the light of developments.

## VOTING IN SECURITY COUNCIL

In November 1947 at the close of its consideration of the problem of voting in the Security Council, the Second Session of the General Assembly instructed the Interim Committee to study this problem, to consult with any committee which the Council might designate to cooperate in the study, and to report with its conclusions to the Third Session of the General Assembly. The General Assembly also requested the permanent members of the Security Council to consult with one another on this question in order to secure agreement among them on measures which would insure the prompt and effective exercise by the Security Council of its functions.

### Results of Interim Committee Study

In response to this instruction, the Interim Committee undertook a comprehensive objective analysis of the problem based on a list of

all possible decisions which the Security Council may take under the Charter and under the Statute of the International Court of Justice. A subcommittee of the Interim Committee studied this list and prepared conclusions and comments as to the appropriate voting procedure which should apply to each of the decisions.

In its conclusions, the Interim Committee proposed to the General Assembly among other things that it recommend to the members of the Security Council that they should consider 36 possible decisions to be procedural. The purpose of this conclusion was to supply a clarification which would assist the Security Council in determining what decisions are procedural in as much as a great deal of the disagreement as to the voting procedure in the Security Council has been caused by the absence of a clear definition in the Charter as to what decisions are procedural.

The Interim Committee also suggested that the permanent members of the Security Council should agree among themselves that 21 other possible decisions should be adopted by a vote of any seven members whether the decisions are considered procedural or nonprocedural. This conclusion was based on the assumption that this agreed liberalization of the voting procedure would greatly improve the functioning of the Security Council. The Interim Committee further suggested a code of conduct to be followed by the permanent members in connection with the exercise of their privileged vote. Finally, the Interim Committee recommended to the General Assembly to consider whether the time had come to call a general conference of the Members of the United Nations for the purpose of reviewing the Charter.

Despite certain reservations maintained by several members, the conclusions of the report as finally adopted by the Interim Committee represent a broad area of agreement obtained as a result of the first comprehensive study of this question undertaken since the San Francisco conference.

The Soviet Union and the other Eastern European countries did not participate in the Interim Committee's work.

## Developments in Security Council

The Security Council did not appoint a committee for the purpose of cooperating with the Interim Committee in its study of the voting problem as it was requested to do in the General Assembly resolution. Only one consultation among the permanent members took place in response to the Assembly request contained in the same resolution. This consultation, held in January 1948, did not bring about any tangible results and only emphasized the need for a thorough study of the problem.

From the adjournment of the Second Session of the General Assembly in the fall of 1947 until the end of 1948, the Soviet Union used the veto five times. In the Czechoslovak case it blocked the establishment of a fact-finding subcommittee; it prevented the approval by the Security Council of the reports filed by the Atomic Energy Commission; it made impossible the admission of Italy and Ceylon to membership in the United Nations; and it defeated the resolution proposed by the six neutrals of the Security Council outlining a plan for the solution of the Berlin crisis.

During the same period, the practice of abstention was resorted to in numerous instances by all the permanent members, including the Soviet Union. In some questions, the Security Council was unable to take any action because all of the proposals submitted to it had failed to receive the required majority of votes.

### Action in General Assembly

The *Ad Hoc* Political Committee of the General Assembly considered the report of the Interim Committee during the First Part of the General Assembly's Third Session. At the outset of the discussions in the *Ad Hoc* Political Committee, China, France, the United Kingdom, and the United States submitted a joint draft resolution embodying in substance the conclusions recommended in the Interim Committee's report. The joint draft resolution recommended to the members of the Security Council that they deem certain decisions enumerated in the annex to the draft resolution as procedural and conduct their business accordingly. In its second recommendation, the joint draft resolution suggested that the permanent members of the Security Council seek agreement among themselves as to the possible decisions of the Council upon which they might voluntarily refrain from using their veto when seven affirmative votes are cast in the Council, giving a favorable consideration to the list of such decisions contained in the conclusion of the Interim Committee report. The most important decisions contained in this list are those relating to peaceful-settlement procedure and admission to membership in the United Nations. Finally, the joint draft resolution incorporated substantially the "code of conduct" recommended by the Interim Committee with special emphasis on the desirability for consultation among permanent members.

The debate in the *Ad Hoc* Political Committee disclosed the same pattern as appeared in the preceding sessions. The Soviet Union, with the other Eastern European countries, opposed any discussion

of the problem and any attempt at a liberalization of the voting procedure, branding it as illegal and contrary to the Charter.

Another minority group of members, led by Argentina, while expressing support for the joint draft resolution as far as it went, considered it inadequate and advocated the elimination of the veto through Charter amendment. A large majority of the members viewed the joint draft resolution as a desirable middle course between the two extreme schools of thought.

In the debate, the United States reaffirmed its willingness to agree to the elimination of the veto from such matters as the admission to membership in the United Nations and decisions relating to peaceful settlement. It supported the text of the joint draft resolution as offering the most promising way of realizing the objective of liberalization of the voting procedure in the light of the realities of the present situation. While appreciating the initiative and the motives of Argentina in calling for a general conference for the purpose of reviewing the Charter, the United States expressed the view that the time has not yet arrived for the convening of such a conference and that further efforts must be made to develop more fully the potentialities of the Charter in its present form. The United States also stressed that any Charter amendment liberalizing the voting procedure required ratification by all permanent members, which at this time would clearly not be forthcoming.

When put to a vote, the joint draft resolution was adopted by the Committee by 33 affirmative votes with only the 6 Eastern European countries voting against it and 4 members abstaining.

The Argentine resolution calling for a general conference "for the purpose of discussing and taking a decision concerning the revision of the Charter" was rejected by a vote of 12 to 22, with 10 abstentions. The Argentine Representative announced that in spite of the defeat of his proposal he would continue his efforts to secure the convocation of a general conference.

At the close of the debate, the Soviet Union offered a draft resolution calling upon the United Nations to widen international cooperation and to avoid unnecessary regulation and formalism, stressing the principle of unanimity as "the most important condition" for insuring effective action for the maintenance of international peace and security, and expressing confidence that in the future the Security Council will take account of its past experience, apply the method of consultation when necessary, and seek to improve the possibility of adopting concerted decisions. The Soviet Representative introduced this draft as a substitute for the joint resolution, which in his view was illegal because it was based on conclusions of the Interim Committee and which he



believed represented an attempt to introduce formalism and impose strict regulations on the activities of the Security Council. The Soviet Representative rejected amendments to his resolution proposed by Ecuador, which would have deleted the passages susceptible of being interpreted as rejecting the efforts to improve the voting procedure of the Security Council and which would have emphasized that the principle of unanimity could insure effective action only if properly used.

Commenting on the Soviet draft, the United States Representative, Benjamin Cohen, declared that while he was in agreement with many statements contained in the draft, he did not find anything in the substance that was not included in the joint resolution regarding the need for continuing consultations among the permanent members. Although he agreed with the undesirability of unnecessary regulation and formalism, he rejected any implication intended to belittle the efforts of the Interim Committee to develop standards and practices which might be helpful as guides to the Security Council. He stated that he was unable to share the confidence expressed in the Soviet resolution that the Security Council would function better in the future than in the past unless there is much better understanding among the permanent members as to how it should function, an understanding for which the joint draft resolution offered a basis.

The Soviet resolution was then rejected by 23 to 6, with 9 abstentions. The United States Representative stated that the Soviet resolution would have been acceptable to his Delegation if the Ecuadoran amendments had been accepted by the Soviet Union.

Owing to the lack of time, the plenary General Assembly was unable to take final action on the joint draft resolution approved by the *Ad Hoc* Political Committee. The resolution will be considered in the plenary session of the General Assembly at the Second Part of its Third Session in April 1949.

## STUDY OF METHODS FOR PROMOTION OF INTERNATIONAL COOPERATION IN THE POLITICAL FIELD

The General Assembly, by paragraph 2 (c) of resolution 111 (II) of November 13, 1947, authorized the Interim Committee to consider and formulate conclusions on "methods to be adopted to give effect to that part of Article 11 (paragraph 1), which deals with the general principles of co-operation in the maintenance of international peace and security, and to that part of Article 13 (paragraph 1a), which

deals with the promotion of international co-operation in the political field”.

This provision of article 13 reflects the recognition of the drafters of the Charter that the creation of the organization was, in itself, only a first step in the direction of a secure peace. Since the structure of the United Nations is necessarily such that it can accomplish no more than its Members are agreed that it shall accomplish, the necessity of agreement, or cooperation, remains the basic problem of international relations. The Charter, accordingly, charges the General Assembly with the study of the problem. In the resolution of November 13, 1947, the General Assembly took up this task and appropriately directed a committee of all its Members to make the necessary preliminary studies.

The Interim Committee on March 2, 1948, appointed a special committee (Subcommittee 2) to study any proposals submitted on this subject. A preliminary report of the subcommittee, outlining its field of study and a proposed method of work, was approved by the Committee on March 24, 1948. The Committee adopted the final report with certain modifications on July 26, 1948, and submitted it to the Third Regular Session of the General Assembly.

Utilizing a joint United States-Chinese proposal on methods of procedure, the Committee studied concrete proposals submitted by delegations as part of its general study of the peaceful settlement of disputes. It recognized, as stated in the report, that—

“ . . . the entire project of giving effect to the pertinent parts of Articles 11 and 13 of the Charter was a task extending over many years. It may even be said that the General Assembly should never cease to ‘consider the general principles of co-operation in the maintenance of international peace and security’ or to study ways of ‘promoting international co-operation in the political field.’ The Interim Committee was reminded that the somewhat comparable activities which were conducted under the auspices of the League of Nations, and which are still in process of elaboration in the Inter-American peace system, have involved many years of work and the utilization of numerous individuals and bodies.

“The Interim Committee has not attempted to report to the General Assembly on the entire range of subjects and has been able to take only some of the first steps. . . .”

All of the proposals submitted were concerned with the pacific settlement of disputes. The Interim Committee recommended that four of these proposals be approved by the General Assembly. The

General Assembly was unable, for lack of time, to complete its consideration of these proposals during the First Part of the Third Regular Session, and they were deferred to the Second Part of the Session to be held in the spring of 1949. However, the following two of the proposals were approved by the *Ad Hoc* Political Committee of the General Assembly:

(1) A Belgian proposal to confer upon appropriate organs of the United Nations, including the International Court of Justice, certain functions previously entrusted to organs of the League of Nations under the 1928 General Act for the Pacific Settlement of International Disputes. The proposal involves the preparation of a revised text of the General Act containing amendments specified in the draft resolution and the opening of the revised text to accession. Since accession remains voluntary with individual states, the approval of this resolution does not imply any approval or disapproval of the substantive provisions of the General Act.

(2) A proposal by the United Kingdom that the General Assembly recommend to the Security Council the adoption of a practice under which conciliation would be attempted by a member of the Council agreed upon for this purpose by the parties to a dispute, prior to its full discussion in the Council itself.

The following two proposals of the Interim Committee were deferred to the Second Part of the Third Session of the General Assembly:

(1) The joint United States-Chinese proposal for the creation of a panel for inquiry and conciliation. Under this proposal, each Member of the United Nations would designate from one to five persons specially qualified to serve in such capacity. The panel thus established would be available to the parties to any disputes to undertake such procedures in the nature of inquiry and conciliation as might be agreed upon.

(2) A United Kingdom proposal that the President of the General Assembly should undertake conciliation efforts prior to full debate on any dispute submitted to that organ.

A number of other interesting proposals were submitted to the Interim Committee by the Representatives of Lebanon, Belgium, Canada, and Ecuador. While these were not submitted to the Assembly, some of them will probably receive further consideration in the course of the future work of the Interim Committee.

In the revised terms of reference approved by the Third Regular Session of the General Assembly for the continued work of the In-

terim Committee, the restriction of the Committee's study to "methods" of implementation is deleted and the Committee is authorized instead "To consider systematically . . . the further implementation" of those parts of articles 11 and 13 of the Charter dealing with the general principles of cooperation and the promotion of international cooperation in the political field.

## ADMISSION OF NEW MEMBERS

Burma was the only new Member admitted to the United Nations in 1948. Its application, submitted on February 17, 1948, received a favorable recommendation by the Security Council on April 10, 1948, and the Second Special Session of the General Assembly on April 19, 1948; admitted it as the 58th Member of the United Nations.

Eleven applications, submitted in 1946 and 1947, were still before the organization at the beginning of 1948. Among these were six—those of Portugal, Transjordan, Ireland, Italy, Austria, and Finland—which had been rejected solely through Soviet vetoes in the Security Council and which the General Assembly had in 1947 strongly requested the Security Council to reconsider. Other 1947 resolutions on the question of membership had recommended consultation among the permanent members of the Security Council on the subject and had requested an advisory opinion from the International Court of Justice on the conditions of admission to membership.<sup>4</sup>

On April 3, 1948, the Representatives of France, the United Kingdom, and the United States requested reconsideration of the applications of Italy and Transjordan, noting that the 1947 Assembly resolutions had requested especially urgent action on these applications. The Ukraine requested reconsideration of Albania, the Mongolian People's Republic, Hungary, Rumania, Bulgaria, and Finland. At the suggestion of the United States, representatives of the Big Five consulted on the problem on April 7, 1948. At this meeting the United States stated that, in view of the Ukraine proposal, the application of Portugal, Ireland, and Austria should also be reconsidered. The Soviet Representative, Andrei Gromyko, offered to support Transjordan if other members would support Albania and the Mongolian People's Republic. The other representatives would not agree to such an arrangement. In the Security Council on April 10, the Soviet Union once more vetoed approval of Italy's application. On a question by the President, it was then made clear that no member of the Council had changed its position toward the admission of any of

<sup>4</sup> For a discussion of this opinion, rendered May 28, 1948, see *post*, p. 165.

the other applicants. Thus, in effect, Transjordan, Portugal, Ireland, Finland, and Austria were once more excluded solely because of the opposition of the Soviet Union; Albania, the Mongolian People's Republic, Hungary, Rumania, and Bulgaria were not favored by a majority.

An application submitted by Ceylon, dated May 25, 1948, was considered by the Security Council's Committee on the Admission of New Members on June 29, 1948. No objection was raised to the application, the Soviet and Ukrainian Representatives reserving their position until the matter was considered in the Council itself, and the Committee rendered a report to this effect to the Security Council. On July 1 the Ukrainian Representative, then chairman of the Committee, called another meeting of the Committee, at which the Soviet Representative stated that available information indicated that Ceylon was not independent and asked for additional data to prove its ability to carry out the Charter obligations. The Committee refused to alter its previous report. In the Council on August 18 the application of Ceylon received nine favorable votes. Since the U.S.S.R. voted adversely, the application was not approved.

The General Assembly referred the items on its agenda relating to membership to the *Ad Hoc* Political Committee. These items were (a) the report of the Security Council on the reconsideration of rejected applications; (b) the advisory opinion of the International Court of Justice; (c) an Argentine proposal to admit Italy and all applicants whose applications had received seven or more favorable votes in the Council; and (d) the report of the Security Council on Ceylon.

The Committee debated the membership problem as a whole, and a number of new proposals and amendments were submitted.

The Australian Delegation proposed a resolution recommending that Members comply with the advisory opinion of the International Court of Justice, together with six separate resolutions affirming that the Assembly considered Ireland, Portugal, Transjordan, Italy, Finland, and Ceylon qualified for membership and requesting the Security Council to reconsider their applications. The resolutions on the old applications—the first five mentioned—were drawn up in terms similar to those submitted by Australia and adopted by the Assembly in the preceding year. Each resolution noted that nine members of the Security Council had supported the applicant but that no recommendation by the Council was possible because of the opposition of one permanent member, recalled the relevant resolution of 1947, and noted that no member of the Council had changed its decision with regard to the application. Accordingly, each resolution reaffirmed the view

of the Assembly that the opposition to the application concerned had been based on grounds not included in article 4 of the Charter, determined once more that the applicant was, in the judgment of the Assembly, qualified for admission under that article and should, therefore, be admitted, and requested the Security Council to reconsider the application in the light of this determination of the Assembly and of the advisory opinion of the Court. The United States submitted a generally similar resolution in support of Austria. Belgium proposed a resolution requesting that the Security Council reconsider the applications of Italy and Finland in the light of the advisory opinion of the Court.

A more drastic proposal by the Argentine Delegation, along the lines of its 1947 proposal, provided that each application for admission should be referred to the Assembly when the Council had reached a decision concerning it; that the Council decision should be deemed to be a recommendation to admit the state if the application had received seven or more affirmative votes, even if one or more permanent members were opposed; and that the Assembly could by a two-thirds majority accept or reject a favorable or an adverse recommendation by the Council.

Finally, the Swedish Delegation submitted a resolution which, like its proposal in 1947, sought to give application to what it termed the "principle of universality". This resolution represented an attempt to circumvent the issues raised in the Security Council and the General Assembly concerning the application of the criteria of article 4 and the use of the veto and laid emphasis upon the principle of universality. Unlike the Swedish proposal of 1947, however, it provided that each application should be dealt with on its own merits.

After general discussion of the various proposals, the Committee decided to vote first on that of Argentina. The Yugoslav Delegation offered a motion declaring that the General Assembly was not competent to adopt the proposal. The motion was defeated 28 to 10, with 11 abstentions, but the Argentine Representative withdrew his proposal before the vote on its merits. The Swedish resolution was amended so as to place less emphasis on the concept of universality and was adopted 33 to 3, with 8 abstentions. The United States voted negatively, since it appeared at the time that the proposal might be used to justify the elimination of the separate Belgian and Australian-United States resolutions on Ireland, Portugal, Transjordan, Italy, Austria, Finland, and Ceylon—states which, in the Assembly's opinion, were clearly qualified for membership. A Soviet proposal to drop these resolutions because the Swedish resolution had been passed was, however, defeated 7 to 35, with 2 abstentions. The Committee then

adopted, by large majorities, the other resolutions except that relating to Ceylon.

Voting on this resolution was postponed in order to enable representatives of Ceylon in Paris to supply the Soviet representatives with information on Ceylon's independence which the Soviet group had asserted was necessary. Since the Soviet representatives were apparently not influenced by the communications from the representative of Ceylon, the Committee proceeded with its consideration of the resolution. In the interest of securing complete agreement on a text, a subcommittee consisting of the chairman of the Committee, Carlos P. Romulo (Philippines), Col. W. R. Hodgson (Australia), and Julius Katz-Suchy (Poland) was appointed and agreed unanimously on a draft. However, when the U. S. S. R. opposed the modified resolution reported by this subcommittee, Poland withdrew its support. The Committee then adopted the original Australian resolution on Ceylon.

In the plenary session, Australia, Burma, India, Pakistan, and the Philippines reintroduced amendments to the resolution on Ceylon along the lines of the subcommittee draft in order to make the resolution more palatable to the Soviet group. Although this concession did not remove Soviet opposition, it was approved by the Assembly. The Assembly adopted all of the other resolutions except that proposed by Belgium.

Following the Assembly's action, the application of Ceylon was once more placed before the Security Council. On December 15, 1948, the Council decided, over Soviet objections, to reconsider the application. The U. S. S. R. and the Ukraine opposed a favorable recommendation on the stated ground that, under the Swedish resolution, all applications should be considered together. The Soviet veto prevented a favorable recommendation.

The Provisional Government of Israel submitted its application for membership on November 29, 1948. The Security Council on December 2 referred the application to its Committee on the Admission of New Members, which decided on the following day to adjourn the discussion without prejudice until the Assembly's First Committee had completed its report on the Palestine problem. The Committee on Admission on December 7 referred the application back to the Security Council with the statement that it was not in possession of sufficient data to take a decision. On December 17 the Council voted on the application. The Ukraine, the U. S. S. R., the United States, Argentina, and Colombia voted in favor, Syria voted against, and the other five members abstained.

## UNITED NATIONS GUARD

At the request of the Secretary-General this topic was placed on the agenda of the Third Session of the General Assembly and was assigned to the *Ad Hoc* Political Committee. In a special report to the Assembly, the Secretary-General set forth his views concerning the need for a Guard, its legal basis, and proposed functions and organization. The report stated that the Guard would be nonmilitary in character, that it would accompany United Nations field missions when necessary to provide protection to United Nations personnel, premises, and property, to assist in furnishing transportation, communications, and supplies to the missions, to patrol and guard objectives neutralized under truce or cease-fire orders, and to assist in the conduct of plebiscites. The Secretary-General's proposal visualized an initial strength of 800 men to make up the Guard.

In the course of his address to the opening plenary session of the General Assembly, Secretary of State Marshall referred to this problem and stated:

"We believe that the General Assembly should give sympathetic consideration to the suggestions of the Secretary-General for the establishment of a small United Nations guard force to assist United Nations missions engaged in the pacific settlement of disputes. The fate of the Mediator in Palestine and the experience of the several commissions already working in the field have already demonstrated the need for such a group. This great world organization should not send its servants on missions of peace without reasonable protection. The guards would be entirely distinct from the armed forces envisaged under article 43 and would not carry out military operations. They could, however, perform important services in connection with United Nations missions abroad not only as guards but as observers and as communications and transportation personnel."

The subject did not reach the stage of active consideration at the First Part of the Session and was consequently postponed to the second half of the Session to convene April 1, 1949.



# ECONOMIC, SOCIAL, AND HUMAN RIGHTS PROBLEMS

## *Economic Questions*

During 1948 the United Nations substantially completed its organizational arrangements for dealing with economic problems and began to take action. Highlights of the year's developments were the successful outcome of world conferences looking toward the establishment of two new specialized agencies of major importance—the International Trade Organization and the Intergovernmental Maritime Consultative Organization; the conduct by the Economic and Social Council of its first over-all review of the world economic situation, based on the first factual world economic survey to appear since before the war; further emphasis on economic development and provision for additional facilities for extending technical assistance to underdeveloped countries; the development of concerted action by the United Nations and the specialized agencies to adopt measures to meet the world food crisis; and the continuation under the United Nations Economic Commission for Europe of measures to aid in the reconstruction of Europe.

## BASIS FOR ACTION: FACT-FINDING AND STATISTICS; REVIEW OF THE WORLD ECONOMIC SITUATION

The importance of factual studies to the economic work of the United Nations cannot be overestimated. The General Assembly, the Economic and Social Council, the specialized agencies, and the several commissions operate in a vacuum if they are not supplied with facts. Problems cannot be thoroughly analyzed without such material, and recommended solutions, if they are to be adopted by Member governments, require supporting facts and analysis. The year 1948 revealed substantial progress by the United Nations in laying a factual basis for intelligent action in the future.

In January 1948 the United Nations issued the first comprehensive world economic report to be published since before the war. Entitled *Salient Features of the World Economic Situation, 1945-47*, the report

covered commodity supplies, international trade and credit, production bottlenecks, the world food situation, manpower problems, and other major aspects of the world economic picture. The Economic and Social Council found the report extremely useful in its consideration of economic conditions and problems and in its review of the activities of the several specialized economic agencies. It is expected that in the future the annual report on world economic conditions will be of major importance to the Council in the performance of its central task of considering key economic problems and making recommendations as to their solution.<sup>5</sup>

Economic surveys of a more limited nature have been made or are being made by the regional economic commissions created by the Economic and Social Council. The Economic Commission for Asia and the Far East (ECAFE) has made some preliminary studies and will have a fuller report on economic problems in its region in 1949. The Economic Commission for Latin America (ECLA) has sent a questionnaire to governments in preparation for a regional economic report. By far the most thorough economic report published by any organ of the United Nations thus far is that prepared by the Economic Commission for Europe (ECE), *A Survey of the Economic Situation and Prospects of Europe*. The report covers production, trade, balances of payments, problems of inflation, intra-European trade, and specific production bottlenecks. This report has been useful in the United States in the planning and execution of the European Recovery Program.

Significant publications are under way in connection with the work of the several functional commissions of the Economic and Social Council. The Statistical Commission reports substantial progress in preparations being made in most countries for the population census of 1950. The statistical office of the United Nations Secretariat has begun publication of a *Monthly Bulletin of Statistics*. A useful projected publication is the *Demographic Yearbook*, being prepared by the United Nations Secretariat with the advice of the Population Commission. The Population Commission is also stimulating studies in the fields of migration and population estimates and forecasts. *International Tax Problems* and *Public Debts 1914-47* are recent publications by the fiscal division of the Secretariat, initiated by the Fiscal Commission. A major study entitled *Public Finance Survey, 1937-47*, is also under way.

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<sup>5</sup> The principal statements on the report made by the official delegates to the February 1948 session of Ecosoc were reproduced in a supplement to the economic report in March 1948.

Substantial headway was made during the year in the programs to improve the international comparability of statistics and to coordinate the statistical activities of the United Nations and the specialized agencies. A main goal in the statistical field is to establish a system which, based on a careful and realistic evaluation of international statistical needs and taking into account the capacity of national statistical systems, will provide monthly, quarterly, and annual publications of the United Nations and the specialized agencies that will include all the statistical series needed for the conduct of international affairs.

At its Third Session, in Paris, the General Assembly approved the transfer to the United Nations of the functions and powers exercised by the League of Nations in respect of economic statistics under the international convention relating to economic statistics (1928).

The factual and analytical work of the United Nations in the economic field is off to a good start. Improvements may be expected as personnel become more experienced and more advanced techniques are developed.

## INTERNATIONAL TRADE ORGANIZATION

The conclusion at Habana in March 1948 of the charter for an International Trade Organization represents a landmark in the history of international economic relations and an outstanding accomplishment of the United Nations. If adopted by governments, to which it has now been submitted for approval, the International Trade Organization charter will open a new era in international trade cooperation and will mark the end of a period characterized by trade warfare and the taking of nationalistic trade measures without regard for the interests and needs of others. As an organization, ITO will take its place as a specialized agency alongside the other economic agencies already established, such as the Food and Agriculture Organization, the International Monetary Fund, and the International Bank for Reconstruction and Development, and will round out the organizational structure of the United Nations in the international economic field.

The International Trade Organization charter was developed after painstaking international negotiations extending over a period of more than two years and culminating in the United Nations Conference on Trade and Employment held at Habana from November 21, 1947, to March 24, 1948. It seeks to promote the expansion of production and trade on a mutually advantageous basis and establish a code of fair conduct over a broad range of international economic activities. It provides rules and principles with respect to employment; economic development and reconstruction; commercial policy (including tariffs,

preferences, international taxation and regulation, import and export quotas, subsidies, state trading, customs administration, and customs unions and analogous arrangements); restrictive business practices; and intergovernmental commodity agreements. To carry out these various provisions, the charter sets up an International Trade Organization composed of a Conference, an Executive Board, and a secretariat.

The ITO charter is to enter into force when a majority of the countries which signed the final act of the Habana conference has approved the document. However, if a majority fails to approve at the end of one year after the signature of the final act, then the charter may come into force upon the approval of 20 countries. The charter has now been submitted to the various countries for approval in accordance with the constitutional procedures of each country. The approval of the United States will be sought from Congress.

An Interim Commission of the International Trade Organization was set up to deal with certain administrative and organizational matters and prepare the way for the first meeting of the Conference. The 53 member countries of the Interim Commission selected 18 of their members as an Executive Committee to perform these tasks.

The Executive Committee has held two sessions thus far. The first session was convened in Habana immediately after the Habana conference and was purely organizational in character. The second session of the Committee was held in Geneva from August 25 to September 15, 1948. The agenda consisted of a number of procedural and organizational matters relating to ITO. Several recommendations were considered and agreed upon by the Committee with respect to such items as the relationship of the International Trade Organization, when established, to other international organizations and bodies, e.g. the International Court of Justice, the International Monetary Fund, and the Food and Agriculture Organization; the expenses incurred during preparatory meetings which drafted the Habana International Trade Organization charter; and the preparation of an authentic Spanish text of the Habana charter.

A basic provision of the ITO charter requires that members negotiate for the substantial reduction of tariffs and the elimination of preferences on a mutually advantageous basis. Anticipating the application of these provisions, the United States and 22 other countries completed in October 1947 the largest single trade agreement ever negotiated, the General Agreement on Tariffs and Trade (GATT). When the International Trade Organization is set up, all members will be required in time to become parties to the General Agreement on Tariffs and Trade. During 1948 the parties to GATT opened discussions with 13 other coun-

tries with a view to definitive tariff negotiations enabling such other countries to join GATT in 1949. United States participation in these negotiations is conducted under the reciprocal trade-agreements legislation.

## ECONOMIC DEVELOPMENT

A basic aim of the United Nations is to provide higher standards of living (article 55). Real progress in this direction calls for the further economic development of the Member nations—in a broad sense, for the fuller utilization of their economic resources.

The better utilization of national resources depends primarily on the efforts of the individual countries themselves. But much can be done in the way of international cooperation to accelerate the process. The United Nations, acting through the Economic and Social Council with its functional and regional commissions, assisted by the economic section of the United Nations Secretariat, and in collaboration with the specialized agencies concerned, provides machinery for international cooperation to promote economic development. During 1948 concrete action in this field began to get under way and as the year closed the General Assembly laid the foundation for an expansion of the United Nations activity in the field of technical assistance for economic development.

At the request of the Government of Haiti the United Nations sent a technical mission—consisting of some ten experts in various fields drawn from the secretariats of the United Nations and certain of the specialized agencies—to make a study of Haiti's economic development needs and plans. The work of the mission is still in process.

In March 1948 the United Nations forwarded to Member governments a provisional program for the United Nations Scientific Conference on the Conservation and Utilization of Resources to be held in mid-1949. This Conference, originally proposed by the Representative of the United States, is expected to provide an exchange of technical information on modern methods of bringing into sustained use resources as yet untapped, of building up more productive economies, and of promoting the scientific conservation of soil, water, forest, and mineral resources.

During the year the Secretariat of the United Nations completed or initiated a number of studies in the field of economic development. A detailed factual study was published of national plans and programs for economic development in selected countries and will be followed by an analysis of the economic content of the national plans and economic trends in less developed areas of the world. A study of international movements of capital during the interwar period is under

way, as well as an investigation into conditions affecting foreign investment in a number of countries which have absorbed foreign capital in the past. The Secretariat has under discussion with the International Monetary Fund and the International Bank proposals for a series of studies of the banking and financial institutions available for the mobilization of financial resources in selected underdeveloped countries. The Secretariat will soon publish a pamphlet describing the technical services for economic development available in the United Nations and the specialized agencies.

The regional economic commissions of the United Nations, in particular the Economic Commission for Europe (ECE) and the Economic Commission for Asia and the Far East (ECAFE), have begun to study the specific economic development problems of their respective regions. The secretariat of ECAFE, assisted by a working party of experts on industrial development, has made and is continuing to make detailed studies of the major aspects of industrial development. The Economic Commission for Latin America (ECLA), which was established in 1948, is undertaking a survey of the economic conditions in the area through coordinated studies being made in each country with a view to an effective examination of the development problems of the region. All of the regional commissions are taking action to make available facilities for technical training for workers within their regions.

In addition to the work of the United Nations proper in the field of economic development, the specialized agencies concerned with health, labor, finance, agriculture, science, and education are beginning or are already carrying forward programs to promote the more effective utilization of resources within their individual spheres of operation.

The rising tide of interest in economic development was strikingly evidenced in the extensive discussion of the report of the Economic and Social Council at the Third Session of the General Assembly. By far the greater part of that discussion was directly or indirectly related to the role which the various organs and agencies of the United Nations can and should play in furthering economic development, particularly in the underdeveloped countries. While there was a wide area of agreement that the primary responsibility for measures of economic development must lie with the individual countries concerned, it was the general feeling that such measures could receive added impetus from foreign assistance and that not enough was being done by way of such assistance through the machinery of the United Nations.

It was particularly felt that the lack of expert personnel and of

technical "know-how" and organization was among the major factors impeding economic development of the underdeveloped areas and that this was a field in which the United Nations and the specialized agencies could extend efficacious help. Problems of finance and of capital equipment in short supply might be difficult for the United Nations, but a program enabling countries to reach a position in which they would be technically able to advance their own economic development was one in which much could be accomplished and which could begin on a more extensive scale than had been possible under earlier actions of the General Assembly and the Economic and Social Council.

As a result of the discussion, the General Assembly made available to the Secretary-General \$288,000 for a program of technical assistance in 1949. This program contemplates three comprehensive advisory missions, in cooperation with the specialized agencies, to requesting countries. It also provides for the granting of 60 fellowships for the training abroad of experts of underdeveloped countries and for arrangements for the training of local technicians within the underdeveloped countries themselves by promoting visits to such countries of experts in various aspects of economic development.

The General Assembly also requested the International Labor Organization, in consultation with the United Nations and the regional economic commissions of the Economic and Social Council, to examine the most appropriate arrangements for facilitating the training of apprentices and technical workers in world centers for such training and to report as early as possible to the Economic and Social Council.

The Economic and Social Council is to review at each session the action taken under this resolution and to formulate any necessary recommendations to the General Assembly.

In the course of the same discussion there was also general agreement with the observation of the United States Representative that, although economic development had figured as an aspect of many of the Economic and Social Council's discussions, there had not been a well-rounded consideration of economic development in all its manifold aspects and problems. Accordingly, the General Assembly requested that the Economic and Social Council and the specialized agencies give further and urgent consideration to the whole problem of economic development in all its aspects and that the Economic and Social Council include in its next report to the General Assembly a statement on measures already devised and proposals for other measures designed to promote economic development and raise the standards of living of underdeveloped countries. The hope was also expressed by the General Assembly that the International Bank for Reconstruction and Development would take immediate steps to adopt

all reasonable measures to facilitate the early realization of development loans, particularly those in areas economically underdeveloped.

With this background, it may be expected that international cooperation for advancing the technical bases of economic development of underdeveloped countries will occupy a place of major importance in the Economic and Social Council and the specialized agencies in 1949.

## EUROPEAN RECONSTRUCTION

When Secretary Marshall spoke at Harvard in June 1947 on the need for European economic recovery, his proposals were addressed to Europe as a whole. The Soviet Union and the countries of Eastern Europe under its domination, however, rejected the suggestion of the British and French that they cooperate in the elaboration of a recovery program and refused to participate with the other European countries in carrying forward plans for a vigorous economic program of self-help and reconstruction, which was the necessary counterpart of American assistance. That was in the summer of 1947. Since then the Soviet Union and other countries of Eastern Europe generally have followed a settled policy of attacking the European Recovery Program and of impugning the motives of the United States, whenever the opportunity to do so has presented itself.

Although the European Recovery Program is not within the organizational framework of the United Nations, the whole program, in execution as well as conception, is designed to strengthen and support the United Nations in attaining the political, economic, and social objectives declared by its Charter. The participating countries have established a separate and independent organization—the Organization for European Economic Co-operation (OEEC)—for the purpose of drawing up and implementing the detailed measures necessary to the success of the program.

The United Nations machinery has made a substantial contribution to the economic reconstruction of Europe—and thus to the work of the OEEC—through the activities of its Economic Commission for Europe (ECE), one of the three regional commissions of the Economic and Social Council. The ECE is composed of all the European Members of the United Nations. From its establishment in the spring of 1947 it has followed the practice of inviting to the meetings of its technical committees other European countries, with the exception of Spain, which are interested in the problems under consideration. It is in these technical committees, where the discussion has been largely nonpolitical and at the expert level, that the real work of the Commission is done. Since the Commission includes as full



members six Eastern European countries who have expressed their open opposition to the European Recovery Program, it is obvious that the Commission cannot play as important a role in assisting the ERP as might otherwise be the case. However, by solving a number of concrete technical problems of common interest to both East and West the Commission has succeeded in making a significant contribution to European reconstruction, thus supplementing the intensive effort now being undertaken through the OEEC by the countries participating in the European Recovery Program.

During the past year the ECE continued its valuable work on coal, transport, electric power, steel, timber, housing, and other problems directly related to the economic reconstruction of Europe. In addition, it has undertaken the study of a number of new matters, notably the question of developing intra-European trade. Provisional agreement has recently been reached on the establishment of a trade committee to consider measures which might be taken to facilitate and expand intra-European trade to the mutual benefit of East and West.

During 1948 the general coal situation in Europe improved to such an extent that it was possible for the ECE to abandon its previous method of over-all allocation of coal and to concentrate instead on insuring that quality coals, in particular coking coal, were used to the best advantage. Analysis of the European economic situation indicated that the shortage of steel rather than of coal would become the key commodity situation limiting European recovery. Although idle capacity for steel production existed in a number of countries, increased amounts of coke were required in order to bring this capacity into production. As a result of a joint study of this situation by the Coal and Steel Committees of the ECE, readjustments were made in the distribution of European supplies of coking coal and coke, which facilitated a substantial and immediate increase in European steel production.

Another significant achievement of the ECE during the past year has been the bringing together of the timber-producing countries and the timber-importing countries in Europe and the formulation with the cooperation of the International Bank of a series of loan proposals intended to facilitate the procurement by timber-producing countries of equipment required to increase their production of timber and export of this much-needed commodity.

The Inland Transport Committee of the ECE has continued to work both for greater standardization in transport equipment and for progressive reduction of obstacles to the movement of road and rail traffic.

## TRANSPORT AND COMMUNICATIONS

Encouraging advances were made during 1948 in the activities of existing international organizations in the field of transport and communications and toward the creation of one new organization—the proposed Intergovernmental Maritime Consultative Organization—to meet the needs of the world for international cooperative action in transport matters.

United Nations responsibility for development and coordination in the fields of transport and communication is centered in the Transport and Communications Commission of the Economic and Social Council, with specific problems being handled by the appropriate specialized agencies and regional economic commissions.

Of the matters coming before the Transport and Communications Commission during 1948, those relating to the coordination of activities in the fields of aviation, shipping, and telecommunications in regard to safety of life at sea and in the air; inland transport in Asia and South America; simplification of passport formalities; and an international road-traffic treaty were outstanding.

With regard to coordination of sea and air safety activities, a meeting of experts held in 1947 at the suggestion of the Transport and Communications Commission had recommended procedures to be followed by the specialized agencies concerned—the International Civil Aviation Organization (ICAO), the Intergovernmental Maritime Consultative Organization (IMCO), the World Meteorological Organization (WMO), and the International Telecommunication Union (ITU)—in achieving effective coordination. The Commission approved the recommended procedure as the initial basis for cooperative endeavor among this group of organizations whose operations had heretofore not been subject to over-all coordination.

With regard to passport and frontier formalities, the Commission recommended that all member governments be encouraged to take constructive action consistent with recommendations of a meeting of experts convened the previous year at the suggestion of the Commission. The Commission's purpose in this field is the removal of barriers to freedom of international travel so that travel will help draw the peoples of the world together socially and economically.

The need for a world-wide up-to-date road and motor-traffic convention was considered sufficiently important to justify calling a conference for this purpose in 1949. Preliminary work has already been accomplished on this subject, and the outlook for a new convention simplifying and facilitating international automobile travel is bright.

Of great interest in this whole field is the inauguration in 1948 of

the *Transport and Communications Review*, published quarterly by the Transport and Communications Division of the United Nations Secretariat.

In connection with the activities in the transport field of the regional economic commissions, mention should be made of the outstanding success in simplifying international travel and the movement of goods achieved through the Inland Transport Committee of the Economic Commission for Europe. This Committee has been successful in doing away with numerous frontier restrictions on European through truck and bus services and in having essential international highway routes designated.

In the light of the success of the inland-transport program of the Economic Commission for Europe, the Transport and Communications Commission recommended that similar procedures be followed by the Economic Commission for Asia and the Far East (ECAFE) and the Economic Commission for Latin America (ECLA).

The development of adequate safety standards at sea was effectively advanced through the adoption in March 1948 of an agreement to establish a world shipping organization to be known as the Intergovernmental Maritime Consultative Organization and by the conclusion of the 1948 convention on safety of life at sea, revising the previous convention of 1929.

The convention of the Intergovernmental Maritime Consultative Organization (IMCO) was concluded at a Conference convened in February 1948 by the Economic and Social Council. The Conference succeeded for the first time in bringing to substantial agreement the various interests of large and small shipping nations, of nonshipping nations and of nations with large stakes in international commerce. The new organization, which is in part an outgrowth of a succession of wartime and postwar emergency bodies, will have primary functions (a) in the field of maritime safety, including certain functions delegated to it under the 1948 convention on safety of life at sea and (b) in the field of economics, relating to the removal of discriminatory action and unnecessary restrictions by governments and to matters concerning unfair restrictive shipping practices in connection with which its work will relate to certain functions of the proposed International Trade Organization.

The Preparatory Committee of the projected shipping organization has already met and made provisional plans, including the proposal of a minimum budget, to go into effect when the convention has been ratified. The interim secretariat functions of the organization are being performed by the United Nations Secretariat under a special agreement.

Imco will become a specialized agency of the United Nations under an agreement already approved provisionally by both the General Assembly and the Imco Preparatory Committee.

## COORDINATED ACTION TO MEET WORLD FOOD CRISIS

The concerted measures taken under United Nations auspices in 1948 to meet the world food crisis illustrate the way in which the various organs and agencies within the United Nations system can be used jointly in attacking a common problem.

The project for joint action to meet the food crisis began with a report to the Sixth Session of the Economic and Social Council by the FAO stressing the continuing and critical nature of the world food problem; noting the complex nature of the problem, which involved not only questions of agricultural technology, but the supply of agricultural requisites, and of manpower, finance and monetary conditions, health, and in fact every aspect of the economic work of the United Nations and its specialized agencies; and suggesting that broader collaboration among governments and international agencies was necessary.

In the light of this report and of supplementary information submitted by the FAO, the Council recommended that national governments "give serious consideration to the continuing world food shortage" and called upon the specialized agencies and the regional economic commissions, together with the FAO, "to study suitable measures to bring about an increase in food production by the elimination of supply shortages" which affect the production of agricultural requisites.

A special report presented by the FAO to the Seventh Session of the Economic and Social Council recorded progress toward realization of the purposes of the resolution. The FAO reported (a) "direct governmental action either through national programs or international cooperation", and (b) "technical advice and assistance in furthering agricultural development". The allocation of scarce foods and fertilizers (cereals, fats and oils, rice, cocoa, and nitrate fertilizers) was continued under the auspices of the International Emergency Food Committee of the FAO Council. The FAO is continuing its work to avoid food losses through infestation, destruction by locusts, and rinderpest, and to increase food production. The regional economic commissions of the Economic and Social Council in Europe, the Far East, and Latin America have set up joint working groups with FAO to study bottlenecks in the production and distribution of agricultural requisites (e.g. fertilizers, machinery, and the like). The

International Labor Organization is giving attention to agricultural production problems in connection with its manpower and technical-training programs. The World Health Organization, in carrying out its antimalaria campaign, is making especially intensive efforts in regions where food production is suffering seriously from lowered output due to the heavy incidence of malaria.

FAO will make a further progress report on coordinated action to meet the food crisis to the Eighth Session of the Economic and Social Council in 1949.

Related to the action of the United Nations in connection with the food crisis was an item placed on the agenda of the General Assembly at its Paris session by the Polish Government with respect to the problem of wasting food in certain countries. In discussing the item the Polish Representative dealt more with the world food situation in general terms than with the problem of food wastage. The Polish resolution, while drawing attention to the need to avoid food wastage and increase surpluses available for export, called for special consideration by the Economic and Social Council of the problem of technical and financial aid for underdeveloped or war-devastated countries to enable them to increase their agricultural production and improve marketing and distribution facilities, and for examination by the Council of other ways and means which might guarantee the realization of the objectives set forth in the resolution. The General Assembly disposed of the item by adopting a resolution substantially reaffirming the desirability of the studies and measures already undertaken under the guidance of the Economic and Social Council.

## TRADE DISCRIMINATION; TRADE BETWEEN EASTERN AND WESTERN EUROPE

During the Third Session of the General Assembly the Foreign Minister of Poland attacked United States export controls, the European Recovery Program, and the principles concerning nondiscrimination in trade matters contained in the Habana charter for an International Trade Organization. Similar attacks were repeated by other Eastern European delegates during the long debate on this item.

The United States Representative took the lead in meeting these attacks with statements referring to the efforts of the United States and other countries to promote the rule of nondiscrimination in trade, culminating in the provisions contained in the Habana charter, and explaining the nature, purposes, and operation of the export controls maintained by the United States in respect of products in short sup-

ply, products needed to carry out the European Recovery Program, and products subject to export control in the interest of national security. He defended the application of these controls in respect of exports to Eastern Europe in particular, on both supply and security grounds, and dealt with specific complaints concerning export licenses held up or denied for shipments to that area. He also refuted the charge that the Economic Assistance Act of 1948 and the economic-cooperation agreements with countries participating in the European Recovery Program required those countries to discriminate against Eastern Europe in respect of exports. He stated that, on the contrary, it is a recognized object of the European Recovery Program to expand to the fullest peaceful trade between Eastern and Western Europe. Finally, he pointed out that the Polish resolution, while couched in general and seemingly mild terms, actually was an attack on United States export policy, another attempt to discredit the European Recovery Program, and an effort to undermine the traditional principle of nondiscrimination embodied in the Habana charter and in many previous agreements concerning international trade.

Representatives of Western European countries expressed views similar to those advanced by the United States Representative and specifically rejected the allegation that they were under obligation to govern their exports to Eastern Europe in accordance with United States directives.

Other delegations, representing a wide geographic distribution, spoke in opposition to the Polish resolution on one ground or another.

The General Assembly finally decided to take no action on the Polish resolution or on other related resolutions and amendments.

### *Social and Labor Questions*

Advances along many fronts took place in the social and labor fields in 1948. Of chief significance were the formal establishment of the International Refugee Organization and the intensification of its program; the successful completion of the first full year of operations of the United Nations International Children's Emergency Fund; the simultaneous effort to assist the world's needy children through the United Nations Appeal for Children; and the continuation of the United Nations program of advisory social-welfare services for governments. Less publicized, but important in laying a pattern for future action, was the adoption by the Economic and Social Council of a constructive and clear-cut program for work by the United Nations in the field of social welfare in 1948-49. Building on previous years of achievement in practical international control, the United

Nations moved forward again in 1948 to strengthen the international system for control of narcotic drugs. In the field of labor, the rights and freedoms of workers were the subject of both discussion and action in the United Nations as well as in the International Labor Organization.

## REFUGEES AND DISPLACED PERSONS

The United States cooperated actively with the International Refugee Organization (Iro) throughout 1948. The Congress appropriated \$70,710,228 as the United States membership contribution to the 1948-49 budget of this United Nations specialized organization, whose task it is to care for, repatriate, and resettle the remaining refugees and displaced persons. The President also approved, on June 25, 1948, Public Law 774, the Displaced Persons Act of 1948, which authorizes the issuance by June 30, 1950, of 205,000 visas for immigration to the United States of eligible displaced persons.

The Iro constitution came into force on August 20, 1948, with 15 members, as follows: Australia, Belgium, Canada, China, Denmark, Dominican Republic, France, Guatemala, Iceland, Luxembourg, Netherlands, New Zealand, Norway, United Kingdom, United States. Venezuela subsequently became a member.

From July 1, 1947, when the Preparatory Commission assumed operating responsibilities, through September 30, 1948, 57,000 refugees and displaced persons were repatriated and 256,000 were resettled in other countries. Although it became increasingly clear throughout 1948 that few displaced persons would voluntarily be repatriated to their countries of origin in Eastern Europe, the Council of the Iro at its first session instructed the Director General to continue his efforts to insure the speedy repatriation of all displaced persons who expressed the wish to be repatriated.

The resettlement of displaced persons in countries where they can start life anew is the only practicable solution for the great majority of displaced persons. Thus, the task of Iro falls naturally into three main parts: (a) repatriation of those who express the wish to be repatriated; (b) resettlement of the majority, who are not willing to return to their countries of origin for fear of religious, racial, or political persecution; and (c) care and maintenance of those who wait. In addition to these primary functions, the Iro has been active in registering displaced persons able to maintain themselves outside DP camps but requiring legal protection and assistance in resettlement.

The Iro has received many appeals for admission to care and maintenance but, in view of its limited budget, has decided to admit new

applicants for care and maintenance only if hardship would result were the applicant denied care. Political refugees who fled Czechoslovakia as a result of events in that country in February were admitted to Iro camps in August 1948.

Resettlement of displaced persons has taken place with increased momentum, principally to the following countries: Argentina, Australia, Belgium, Brazil, Canada, Chile, France, the Netherlands, Paraguay, Peru, Turkey, the United Kingdom, the United States, and Venezuela. In order to transport displaced persons to overseas countries of resettlement, the Iro secured from the United States and from other countries the use of 28 ships. Surveys were conducted by the Iro as a means of assisting countries of resettlement. These showed that about one third of the men in Iro camps in 1948 were formerly in skilled occupations and a quarter were experienced agricultural laborers; that approximately one fifth of the displaced persons were Jewish and one half Catholics; and that 85 percent were 45 years of age or under.

By October 1948, the Displaced Persons Commission, appointed in August to carry out the provisions of the Displaced Persons Act, had begun processing operations in Europe, and several ships carrying eligible displaced persons arrived in the United States during November and December. Although the program of the Displaced Persons Commission had gained momentum by the end of 1948, its operations were severely hampered by the numerous restrictive features of Public Law 774.

During 1948, the activities of the Iro also occupied the attention of the Economic and Social Council. When the report of the Secretary-General which the General Assembly had requested was presented to the Council at its Seventh Session (in July-August 1948), a vigorous attack upon the Iro was launched by Eastern European representatives. Following lines already familiar from previous sessions of the Council and the General Assembly, the Soviet Union and countries under its domination charged that repatriation had not proceeded satisfactorily because of the fostering of antirepatriation propaganda and procedures in the camps and that resettlement was exploited by Western countries in order to obtain cheap manpower. Rebuttals of these charges were entered by the United States and other governments and, in the end, Soviet proposals designed to implement their allegations were overwhelmingly defeated. The final Council resolution of August 24, 1948, was a vote of confidence in the Iro. In particular, the Council emphasized the need for continued efforts for both repatriation and resettlement, and it recommended consultation by the Iro with Members of the United Nations in order to accomplish the maximum results in resettlement policy.



With regard to unaccompanied displaced children, the Council resolution recommended the reunion of children with their parents or, under carefully specified conditions, their return to their countries. In the discussion of this resolution, the United States made plain its concern that, in all cases, the best interests and welfare of the individual child should receive primary consideration.

The Council resolution was due for discussion at the 1948 session of the General Assembly. Lack of time, however, compelled postponement of the subject to the Second Part of the Third Session, scheduled for April 1949.

## INTERNATIONAL CHILDREN'S EMERGENCY FUND

The year 1948 marked the first full year of operation of the International Children's Emergency Fund. Since its creation the Fund has expended or firmly committed \$64,200,000 on feeding programs. A daily supplementary meal or school lunch has been provided to approximately 4,500,000 children and nursing and expectant mothers in 12 European countries and China.

In cooperation with the World Health Organization and the Scandinavian Red Cross Societies, the Fund inaugurated the largest single mass-immunization campaign ever undertaken, a program of testing 50 million European children for tuberculosis and of vaccinating some 15 million—those found susceptible—with the new BCG vaccine. Plans have been made to extend this program to China. The Fund has likewise formulated plans for an attack on venereal disease among children and pregnant mothers in various countries.

Assistance was also given for fellowships for the training of health and welfare personnel for children's work. In cooperation with the Food and Agriculture Organization, the Fund assisted countries to increase their indigenous milk supplies and to make the most efficient use of them. The Fund authorized extension of its program to certain countries in southeast Asia, North Africa, Latin America, and Germany. Medical rather than feeding programs are proposed for these areas. Recently the Fund authorized the expenditure of approximately 6 million dollars of the assets transferred to it from UNRRA for purposes of feeding and maintaining mothers and children in the refugee population in the Near East.<sup>6</sup>

The United States continues to be the greatest contributor to the Fund, having given about 42 million dollars of the approximately 58

<sup>6</sup> For information on assistance to Palestinian refugees, see *ante*, p. 52.

million dollars contributed by all governments. The United States Congress authorized contributions up to a total of 75 million dollars on a 72-28 matching ratio, and it is expected that within the near future other governments will have indicated willingness to contribute additional funds so that the full United States contribution may be drawn upon.

### UNITED NATIONS APPEAL FOR CHILDREN

Closely associated with the International Children's Emergency Fund has been the United Nations Appeal for Children, the United Nations project for obtaining individual contributions for the benefit of the world's children. The Appeal, established in 1947 under the administrative direction of the Secretary-General as a one-time fund-raising project, had collected approximately 30 million dollars by November 1948 from individuals in 50 countries, from specialized agencies, and from staff members of the United Nations itself, who gave one day of their annual salaries. Of the money collected to date 87 percent has been allocated for the relief of children in countries other than those in which the money was collected. This consists of approximately 11 million dollars allocated to the International Children's Emergency Fund, about 14 million dollars to private agencies, and about 1½ million dollars to UNESCO. The remainder has been allocated to domestic relief projects in 20 contributing countries.

In the United States the United Nations Appeal was combined with the American Overseas Aid campaign (covering some 25 American voluntary agencies operating relief projects abroad) and was conducted on a locality basis, from approximately February 1 to July 1. As of November 1 only about 7 million dollars had been raised of a goal of 60 million dollars. Among the reasons for the lack of success were the failure to obtain large corporate gifts and the confusion as to whether or not small personal gifts were necessary in view of the large United States governmental contribution to the International Children's Emergency Fund.

The Appeal was terminated at the end of 1948 as a separate entity of the United Nations. In taking this action, however, the General Assembly urged all governments to conduct nationally sponsored fund-raising campaigns for the world's children in 1949. The United Nations International Children's Emergency Fund will be available for assistance to governments in conducting campaigns, and the name of the United Nations can be used in support of all national appeals the proceeds of which are donated to the Fund.

## ADVISORY SOCIAL-WELFARE SERVICES

The United Nations decided to continue its advisory social-welfare services for governments in 1949 on the same basis as in 1948. These services include making available to governments, upon their request and within the funds available, (a) social-welfare consultants, (b) exchange of fellows in the social-welfare field, (c) demonstration equipment for treatment of the disabled, (d) exchange of films and social-welfare literature, and (e) participation in regional seminars. In 1948 the request for services from governments exceeded the amount which the Secretariat was able to supply. During 1948, however, 18 countries sent 216 fellows to different parts of the world, of whom 89 chose the United States as their country of training. Twelve United Nations consultants were serving in 8 countries at the end of 1948. Demonstration equipment was sent to 7 countries. Requests from 7 countries for social-welfare literature and films were filled in 1948.

## SOCIAL-WELFARE WORK PROGRAM FOR 1948-49

The social-welfare work program for 1948-49, which was adopted by the Economic and Social Council, outlines an international program of studies for (a) controlling prostitution, (b) improving social conditions affecting families and children, (c) reducing the incidence of crime, (d) resolving social problems in the field of migration, (e) developing adequate standards of housing, and (f) exploring the most practicable means of raising the standard of living for the mass of the world's population. This work program is to be carried out through specific projects in the above-mentioned fields, which will be undertaken by the Secretariat of the United Nations and result in the completion of basic studies or the development of specific recommendations to governments in the form of conventions or other international agreements.

## Prostitution

Since 1904 there has been a series of conventions designed to establish in each ratifying country a central authority responsible for coordinating all information relative to the procurement of women and girls for immoral purposes abroad, and for punishing persons hiring or enticing women and girls for immoral purposes. During 1948 the Economic and Social Council asked the Social Commission to give top priority to the consolidation of these conventions into a single document to be presented in 1949 for consideration by all Members of the United Nations.

The Council also recommended that member governments include in their public and voluntary social-welfare services provisions for combating prostitution both from a preventive and rehabilitative point of view.

During the year the United Nations published the first of a series of annual reports on traffic in women and children and on obscene publications.

## Family, Youth, and Child Welfare

The Secretariat began in 1948 a series of studies of the needs of families and children for financial assistance and social-welfare services. Studies are in process on the organization and administration of family, youth, and child welfare services in the fields of child guidance and the rehabilitation of the handicapped. Questionnaires have been sent to governments, and the Secretariat is currently tabulating the information supplied. At the request of the Representative of the United States, two additional studies were begun. The first is on the needs of homeless children—children who are orphaned or separated from their families for other reasons and require care in foster homes or institutions. The second is on the best methods of administering financial assistance and social services to financially needy families and children.

The Secretariat is also revising the declaration of the rights of the child, adopted by the League of Nations in 1924, with a view to including the newer concepts of child welfare.

The Economic and Social Council authorized the continued publication of the *Legislative Series on Child Welfare* and the *Summaries of Annual Reports in Child Welfare* submitted by governments. These publications were formerly issued by the League of Nations and will in future be combined in one volume.

## Crime and Treatment of Offenders

The Economic and Social Council at its Seventh Session approved steps to study on a broad international plane, and under the leadership of the United Nations, methods for the prevention of crime and the treatment of offenders. Such a study would include the problems of juvenile delinquency; methods of medical, psychiatric, and social examinations of adult offenders; systems of probation; methods of treatment for "one-time" and habitual offenders; systems for training of staff for penal institutions; and development of criminal statistics with a view to an international report on the state of crime.

The Secretary-General convened a meeting in October 1948 of national and international organizations having an interest in this field, and work is now progressing on the allocation of functions among the

organizations concerned. The Council also authorized the Secretary-General to convene in 1949 a group of internationally recognized experts to advise him and the Social Commission on formulating policies and programs in the field of crime prevention.

## Migration

Migration questions cut across the interests of a number of organs of the United Nations. During 1948 the Economic and Social Council cleared the way for developing an orderly and systematic approach to these questions by allocating functions among the Social Commission (social rights and benefits of migrants), the Population Commission (demographic aspects of migration, such as the relation of migration to the labor force), and the International Labor Organization (labor aspects of migration). During 1948 the ILO pressed forward with its work in the field of migration, including the study of proposals to develop a model migration agreement suitable for adoption between pairs of countries, the preparation of international nomenclature of occupations for use in organizing migration, and the collection of information on manpower deficits and surpluses in relation to migration. The last-named project is of particular significance in connection with the European Recovery Program, and priority will be given by the ILO to a study of the European manpower situation.

## Housing and Town and Country Planning

Acting on the basis of a survey by the Secretariat of existing activities of international organizations in the field of housing, the Economic and Social Council at its Seventh Session authorized the development of an integrated international program of study and activity which would reflect the interests of all organizations in the subject of housing and town and country planning. The Council also gave its approval to the early publication of a bulletin on housing and town and country planning for circulation to all governments. Stemming from a successful conference of international housing experts convened by the Secretary-General in Latin America in 1947, authorization was given in 1948 to convene two small meetings of experts in other parts of the world, which will be concerned with housing problems in the Tropics.

The Economic Commission for Europe (ECE) held a number of meetings of international housing experts during 1948. Recognizing the importance of improved housing in solving the problem of European recovery, the Commission created a permanent Housing Subcommittee on Industries and Materials.

A number of comprehensive reports on housing were issued in 1948, including *Housing Needs and Programs* and *Housing Materials and*

*Conservation of Materials*, both published by the ECE, and the report of the International Labor Organization, *Housing and Employment*.

## Standards of Living

The Secretariat was requested to undertake a preliminary analysis of techniques and methods that might be employed in making a study of the most practical means of improving living standards. Particular attention is to be given to underdeveloped areas and other areas where low standards of living prevail. For purposes of coordination and economy of labor, specialized agencies and other interested United Nations bodies will be invited to cooperate and have been requested to furnish sources of information and other existing materials. The entire effort is being directed as much as possible to practical results upon which member governments can subsequently institute action.

## INTERNATIONAL CONTROL OF NARCOTIC DRUGS

The international traffic in narcotic drugs has been under strict international control for many years, the basic instruments governing this subject being the conventions on narcotic drugs of 1912, 1925, and 1931. The administration of this system was carried over to the United Nations from the League of Nations and is managed by the Economic and Social Council's Commission on Narcotic Drugs, operating in conjunction with the Permanent Central Opium Board (which polices international commitments to control the traffic in narcotics), the Drug Supervisory Body (which compiles and publishes annual estimates of the world's drug requirements), and a division in the United Nations Secretariat.

During 1948 the General Assembly acted to approve the "Draft Protocol To Bring Under International Control Drugs Outside the Scope of the Convention of July 13, 1931, for Limiting the Manufacture and Regulating the Distribution of Narcotic Drugs." This marked the final important step within the United Nations toward regulating the new synthetic drugs which threatened to flood world markets and cause a breakdown in international narcotics control. The protocol was opened for signature on November 19, 1948, when it was signed by 47 countries, including most Members of the United Nations and some nonmembers.

During the year the Economic and Social Council initiated action to develop a single international convention on narcotic drugs which would replace the several instruments on drug control now in force and,

more importantly, would commit governments to limit domestic production of narcotic raw materials as well as restrict and regulate their importation and exportation.

The Council approved the publication of a United Nations narcotic bulletin; authorized the sending of a commission of inquiry to Peru to study the effects of chewing coca leaf and the possibilities of controlling its production and distribution; and invited governments to participate in a joint program of research to determine by chemical and physical means the country of origin of illicit shipments of opium.

## LABOR MATTERS

### Forced Labor

Because of the limited time available the Economic and Social Council deferred for later consideration the request of the American Federation of Labor that the Council urge the International Labor Organization to take further steps to investigate and propose ways to eliminate conditions of forced labor. Such conditions, the Federation asserted in a memorandum to the Council, exist today despite the general condemnation of conditions approximating slavery and despite the efforts of the League of Nations and the International Labor Organization to ban slavery or forced labor through the adoption of multilateral conventions.

### Freedom of Association

The year 1948 saw the adoption, at the Thirty-first Session of the International Labor Conference held at San Francisco in June, of the first international convention on freedom of association and freedom of the right to organize. This move to further the protection of trade-union rights grew out of action earlier suggested to the Economic and Social Council by the American Federation of Labor and the World Federation of Trade Unions and referred by the Council to the International Labor Organization. The convention affirms freedom of association for employers as well as workers.

### Equal Pay

During the year the Economic and Social Council adopted a resolution endorsing the principle of equal remuneration for work of equal value and calling upon members to implement this principle in every way without regard to nationality, race, language, or religion. The International Labor Organization, which has already taken action on this subject on many previous occasions, planned during the year

to undertake further studies in this field. The Council also adopted a resolution asking members to adopt measures enabling women to enjoy the same rights as men in regard to employment and wages, social insurance, professional training, and leisure.

## Voting Power in the ILO

When the report of the International Labor Organization was under discussion in the Economic and Social Council, the Representative of the U.S.S.R. asserted that the Organization had failed to advance the interests of workers because in its affairs government and employer delegates could outvote the worker delegates. He implied that governments in non-Communist countries were the tools of vested monopolistic interest and carried the class struggle against the workers through the machinery of the ILO.

Recognizing that speech as an ideological attack upon the basic economic and social systems of the democracies, the United States Representative refuted the specific criticisms and underlying assumptions. He pointed out that the criticisms were based upon the analysis of Karl Marx made a century ago on the assumption that class conflict was inevitable. He showed that, especially in the United States, workers and employers have tremendous common interests, that many transfer back and forth, both are in the owning group, and government serves the general welfare rather than class interest. He declared that the ILO functions for the general welfare rather than for the interests of a particular group. Citing the record, he showed that the employers have not controlled the adoption of conventions and that the ILO's usefulness is not to be measured by a mere tally of ratifications.

On the essential question of protection for the worker against exploitation by the employer, the United States Representative turned the indictment against the Communist system. Whereas in democracies workers have real protection against exploitation through freedom to choose their jobs, trade-unions to bargain for them, general welfare legislation to establish standards, and real freedom of expression, no equality of negotiation is possible when the government is the sole employer and exercises the managerial function and where there is not even opportunity for expression of independent political views. Hence he suggested that the ILO should concern itself with the problem of protection of the working class in Communist countries.

The United States Representative also pointed out that the United States publishes freely all pertinent factual information concerning employment in the United States, whereas the U.S.S.R. conceals from the world as completely as possible what is happening in that country.



He urged that the alleged safeguards for workers in the U.S.S.R. should be subjected to expert and impartial analysis by the ILO as the United Nations specialized agency for labor problems.

## *Human Rights*

Two of the great achievements of the Third Session of the General Assembly were the approval of the Universal Declaration of Human Rights by an overwhelming majority and the unanimous approval of a convention on genocide (destruction of a national, ethnical, racial, or religious group as such). In addition, in the Commission on Human Rights, further work was done toward the completion of a draft text of an international covenant on human rights. In the field of freedom of information, three conventions were initiated at a United Nations Conference held in Geneva in March and April 1948.

## UNIVERSAL DECLARATION OF HUMAN RIGHTS

The Universal Declaration of Human Rights proclaims the human rights and fundamental freedoms of all human beings, as a common standard of achievement for all peoples and all nations. The Declaration therefore is a great event in the struggle of men for freedom, a struggle which in our own history began with the Magna Charta and continued with such great instruments as the English Bill of Rights of 1688, the French Declaration of the Rights of Man of 1789, and our own American Bill of Rights. A further step, on a regional basis, was the adoption of the American Declaration of the Rights and Duties of Man by the Ninth International Conference of American States at Bogotá in April 1948. Now the Universal Declaration of Human Rights, applicable as its name indicates on a world-wide basis, has emerged to take its place in this great historic development.

The action of the General Assembly was the culmination of two and a half years of painstaking labor within the United Nations, particularly in the Commission on Human Rights. That Commission was established by the Economic and Social Council in the spring of 1946 pursuant to article 68 of the Charter. It has had, as its able chairman, Mrs. Franklin D. Roosevelt.

The position of the United States with respect to the Declaration in general and also with respect to its various provisions is a matter of record in the United Nations. In his opening address at the General Assembly, the Chairman of the United States Delegation, Secretary Marshall, called for "the approval of a new declaration of

human rights for free men in a free world." He then went on to point out:

"Systematic and deliberate denials of basic human rights lie at the root of most of our troubles and threaten the work of the United Nations. It is not only fundamentally wrong that millions of men and women live in daily terror of secret police, subject to seizure, imprisonment, or forced labor without just cause and without fair trial, but these wrongs have repercussions in the community of nations. Governments which systematically disregard the rights of their own people are not likely to respect the rights of other nations and other people and are likely to seek their objectives by coercion and force in the international field."

Mrs. Roosevelt, as United States Delegate, also called for the approval of the Declaration in her opening statement. In stating the general position of the United States she made it clear that this Government did not regard the text submitted by the Commission on Human Rights as perfect and, in fact, was not fully satisfied with certain provisions in the document. However, the United States favored the approval of a Declaration which was substantially sound and which would be generally acceptable to most of the Members of the United Nations.

The preamble of the Universal Declaration of Human Rights proclaims the Declaration, setting forth various specific human rights and fundamental freedoms, "as a common standard of achievement for all peoples and all nations". This document is therefore a statement of principles, an enunciation of rights and freedoms of the individual. It is not a treaty or international agreement, as distinguished from the draft international covenant on human rights. The Declaration does not create legal rights and obligations. It is not intended to impose legal obligations upon governments. It does, however, proclaim standards of conduct which all Members of the United Nations should endeavor to attain. Its approval by the General Assembly exerts a moral influence upon Members of the United Nations to "strive by teaching and education to promote respect for these rights and freedoms and by progressive measures, national and international, to secure their universal and effective recognition and observance".

The first part of the Declaration contains the great traditional political and civil rights and freedoms, such as freedom of speech, freedom of religion, freedom of assembly, the right to participate in government, the right to fair trial, the right to life, the right to personal liberty, and the right to own property. These are followed by an

enumeration of the newer economic, social, and cultural rights and freedoms which have in the twentieth century come to be recognized as fundamental to man.

The United States made it clear in the course of the development of the Declaration that it does not consider the economic, social, and cultural rights stated in the Declaration to imply an obligation on governments to assure the enjoyment of these rights by direct governmental action. Article 22 of the Declaration recognizes that the realization of economic, social, and cultural rights must be in accordance with the organization as well as the resources of each state.

Article 29 recognizes the fact that individual liberty can never be absolute and provides for limitations on individual rights and freedoms including respect for the rights of others and the "just requirements of morality, public order and the general welfare in a democratic society."

This Universal Declaration of Human Rights reflects the composite views of the many people and of the many governments who contributed to its formulation. Such a document obviously could not entirely satisfy every person or every government, but it is significant that the Members of the United Nations were able to find such a large and substantial measure of agreement in the field of human rights. Only eight Members of the United Nations abstained from the 48 to 0 vote approving the Declaration. These eight countries were six in the Soviet bloc—the U.S.S.R., the Ukraine, Byelorussia, Poland, Czechoslovakia, and Yugoslavia—and Saudi Arabia and the Union of South Africa. Two countries were absent, Honduras and Yemen.

The General Assembly approved a resolution requesting the Economic and Social Council to ask the Commission on Human Rights to give further examination to the problem of petitions when studying the draft covenant on human rights and measures of implementation, in order to enable the General Assembly to consider what further action, if any, should be taken at its next regular session regarding the problem of petitions.

The General Assembly also requested the Economic and Social Council to ask the Commission on Human Rights and the Subcommittee on the Prevention of Discrimination and the Protection of Minorities to make a thorough study of the problem of minorities in order that the United Nations may be able to take effective measures for the protection of racial, national, religious, and linguistic minorities.

## DRAFT INTERNATIONAL COVENANT ON HUMAN RIGHTS

The Human Rights Commission is expected to convene at Lake Success on May 9, 1949, to proceed with the drafting of an international covenant on human rights. The General Assembly in a resolution adopted at Paris requested the Economic and Social Council to ask the Commission to continue to give priority to the preparation of a draft covenant and measures of implementation.

The draft text of the proposed covenant at present includes only certain basic civil rights comparable to those in the Bill of Rights of the United States Constitution. Other conventions now being developed in the United Nations are concerned with some of the other specific aspects of the Declaration on Human Rights. The convention on genocide approved by the General Assembly of the United Nations in Paris and the proposed conventions on freedom of information still under consideration in the United Nations are illustrations of such specific agreements in the field of human rights. The formulation of the United States position with respect to the covenant on human rights is being given careful consideration within our own Government, through an interdepartmental committee consisting of representatives of the Departments of State, Labor, Justice, and Interior, and the Federal Security Agency. The suggestions and comment of interested nongovernmental organizations have also been obtained.

### FREEDOM OF INFORMATION

During 1948 the United Nations gave increasing attention to the subject of freedom of information, and the United States continued its initiative and leadership in this field. A United Nations Conference on Freedom of Information was held from March 23 to April 21, 1948, in Geneva. The preparatory work for the Conference had been done by the United Nations Subcommittee on Freedom of Information and the Press with the approval of the Economic and Social Council.

The Conference on Freedom of Information prepared three draft conventions, recommended articles for inclusion in the Declaration of Human Rights and the covenant on human rights, and adopted some forty substantive resolutions. Most of its decisions were carried by overwhelming majorities, with only the Soviet group of countries customarily in opposition.

The draft conventions prepared by the Conference are as follows:

1. The draft convention on the gathering and international transmission of news, sponsored by the United States Delegation, seeks to promote the free flow of information between countries by facilitating the freest possible movement of foreign correspondents, protecting them from expulsion for any lawful exercise of their rights, and insuring equitable treatment of their outgoing despatches.

2. The draft convention concerning the institution of an international right of official correction, submitted by the French Delegation, is intended to afford protection against false or distorted reporting likely to injure relations between nations. It would apply to situations where a state felt that a report sent from one country to another and likely to injure its foreign relations was false or distorted. The complaining government could send its version of the facts to the state in which the report was published, and the latter would be obliged to make this version available to its domestic information agencies. No power to compel publication is involved.

3. The draft convention on freedom of information sponsored by the United Kingdom Delegation provides that contracting states shall secure to their nationals and to the nationals of other contracting states certain broad rights to freedom of information without governmental interference, such as the right to seek, receive, and impart information and opinions. It forbids states to regulate the use of the media of communication in any manner involving discrimination on political grounds or on the basis of race, sex, language, or religion.

The three conventions approved by the Geneva conference will be considered by the General Assembly during the Second Part of its Third Session, to be held in April 1949 at Lake Success.

### SOVIET WIVES

The Chilean Delegation to the Third Session of the General Assembly protested against the refusal of the Soviet Union to permit the Soviet wives of foreigners to join their husbands abroad. Other delegations, including that of the United States, joined in this protest, and a resolution was adopted in the Sixth (Legal) Committee of the General Assembly condemning this practice as not in conformity with the Charter of the United Nations. The resolution recommended that the Government of the Union of Soviet Socialist Republics discontinue this practice.

The concern of the Chilean Government regarding this matter initially arose because of the refusal of the Soviet Union to permit the

Soviet wife of the son of the Chilean Ambassador to Moscow to leave the U.S.S.R. with her husband. The United States Delegation joined other delegations in censuring the Soviet Union particularly since Soviet wives of American nationals have been similarly denied the right to leave the Soviet Union. From the time of the recognition of the Soviet Government by the United States in November 1933 to the present time, only about 50 of the Soviet wives of American citizens have been permitted to leave the Soviet Union. There are now 350 Soviet wives and 65 Soviet husbands of American citizens who have applied for permission to depart from the Soviet Union without success; 97 of this group are the wives of American war veterans. Although repeated representations have been made by the United States Government to the Soviet Government for permission to enable the Soviet wives and husbands of Americans to leave the Soviet Union to join their spouses abroad, the Soviet Government has been adamant in refusing to permit them to leave.

The resolution approved by the Sixth Committee of the General Assembly will be considered by the plenary session of the General Assembly when it reconvenes at Lake Success in April 1949.

## STATUS OF WOMEN

A report on the political rights accorded women throughout the world was prepared by the Secretariat of the United Nations for the General Assembly in 1948. It showed that, although women vote and hold office on the same terms as men in most countries, there are still more than twenty nations which discriminate against women in this regard. The purpose of the report was to evaluate progress in this field since the First Session of the General Assembly of the United Nations in 1946, which had passed a resolution referring to the statement in the United Nations Charter reaffirming faith "in the equal rights of men and women" and recommending that all Member states which had not already done so grant women equal political rights. It was found that seven countries had extended such rights to women between 1945 and 1948 and that others are at present considering measures to achieve this purpose. The Economic and Social Council, in authorizing the report to the General Assembly, directed that similar material be circulated annually to Members of the United Nations "until all women throughout the world have the same political rights as men." The Economic and Social Council reviewed various aspects of the status of women and recommended among other matters that the Commission on the Status of Women give special attention to conflicts in nationality laws which create hardships for women who marry men from other countries.

## CRIME OF GENOCIDE

Genocide, which is the destruction of national, ethnical, racial, or religious groups as such, was declared to be a crime under international law by the General Assembly resolution 96 (1) of December 11, 1946. The Delegation of the United States took an early, active, and leading part in the effort of the United Nations to outlaw this unspeakable offense.

The Economic and Social Council was instructed by the General Assembly to undertake the necessary studies with a view to drawing up a draft convention on the subject. The Council set up an *Ad Hoc* Committee on Genocide, which met at Lake Success from March 3 to April 5, 1948, and prepared a draft convention on the prevention and punishment of the crime. At its Third Session the General Assembly, on December 9, 1948, unanimously approved a revised draft of this convention which had been recommended to it by the Sixth (Legal) Committee. The convention was signed by the representatives of 20 nations, including the United States, on December 11. The convention is subject to ratification and will come into force 90 days following its ratification by 20 nations.

The convention provides that genocide is a crime under international law which the contracting parties undertake to prevent and punish. Genocide is defined as the destruction, in whole or in part, of a national, ethnical, racial, or religious group. Attempt and conspiracy to commit genocide as well as direct and public incitement to commit the crime are made punishable acts. Persons committing genocide are liable to punishment whether they are constitutionally responsible rulers, public officials, or private individuals.

The contracting parties undertake to enact, in accordance with their respective constitutions, the necessary legislation to give effect to the convention. Persons charged with any of the punishable acts may be tried by a competent tribunal of the state in the territory in which the act was committed or by such international penal tribunal as may have jurisdiction with respect to those contracting parties which shall have accepted its jurisdiction.

The convention provides also that the contracting parties agree to grant extradition in accordance with their laws and treaties in force. Genocide is not to be considered as a political crime for the purpose of extradition. Any contracting party may call upon the competent organs of the United Nations to take such action under the Charter as they consider appropriate for the prevention and suppression of the acts which are made punishable by the convention.

Disputes between the contracting parties relating to the interpretation, application, or fulfilment of the present convention, including those relating to the responsibility of states for genocide or any of the other acts made punishable by the convention, shall be submitted to the International Court of Justice at the request of any of the parties to the dispute.

The General Assembly approved also a resolution, submitted by the Sixth Committee, by which the International Law Commission is invited to study the desirability and possibility of establishing an international judicial organ for the trial of persons charged with genocide or other crimes over which jurisdiction would be conferred upon that organ by international conventions.

Finally, the Assembly approved a resolution recommending that the parties to the convention which administer dependent territories should take such measures as are necessary and feasible to enable the provisions of the convention to be extended to those territories as soon as possible.

## PROBLEMS OF DEPENDENT TERRITORIES

The Charter of the United Nations contains specific provisions for the promotion of the well-being and advancement of dependent peoples. According to chapter XI, Members having responsibilities for the administration of territories whose peoples have not yet attained a full measure of self-government recognize the principle that the interests of the inhabitants are paramount and accept the obligation to promote their well-being. Furthermore, chapters XII and XIII provide for the establishment of an international trusteeship system for the administration of territories placed thereunder by individual trusteeship agreements. Consideration of matters arising under these three chapters constitutes annually a significant portion of United Nations business having wide implications and long-range importance.

### *Trusteeship Activities*

Members of the United Nations in 1948 devoted increasing attention to the problems of 15,000,000 inhabitants of 10 trust territories under the international trusteeship system. During its 71 meetings the Trusteeship Council carefully examined three annual reports submitted



by administering authorities and considered thirteen petitions. The Council also dealt with two special questions referred to it by the General Assembly—the City of Jerusalem and South West Africa.

The Trusteeship Council's conclusions and recommendations were further debated for several weeks in the Fourth Committee and in the plenary meetings of the Third Session of the General Assembly. Four resolutions designed to promote the progress of the trust territories were unanimously adopted by the Assembly on November 18, 1948. Meanwhile, between July 20 and September 21, the Trusteeship Council's first regular visiting mission had observed conditions in an area containing nearly two thirds of the total population under the trusteeship system, the two East African trust territories of Tanganyika and Ruanda-Urundi. The mission's recommendations, embodied in a 430-page report, will be studied at the Fourth Session of the Trusteeship Council in 1949.

### EXAMINATION OF ANNUAL REPORTS

The examination of annual reports submitted by administering authorities is one of the most important functions of the Trusteeship Council. Based on an exhaustive provisional questionnaire prepared by the Council, these reports give a detailed picture of conditions in the trust territories. Three reports, covering the British, Australian, and Belgian trust territories of Tanganyika, New Guinea, and Ruanda-Urundi, were examined during the Second and Third Sessions. To supplement this information the members of the Trusteeship Council questioned a special representative sent from each trust territory by the administering authority.

The United States, along with the United Kingdom and the Philippines, was assigned to devote special attention to the field of educational advancement. Keen interest was shown in the Council, and subsequently in the Assembly, in the need for additional educational facilities in trust territories. Several Council representatives commented on the small number of children in school and the low proportion of the total budget spent on education. The Philippine Delegate stressed the need for higher education in order to accelerate political, economic, social, and educational progress by training indigenous leaders. According to the report of the Trusteeship Council the allocation for education was 7.34 percent of the total budget in Ruanda-Urundi, 1.59 percent in the combined territories of New Guinea and Papua, and 9.2 percent in Tanganyika. The Philippine Delegate pointed out in contrast that "from the very start of American administration in the Philippines no less than 33 percent of the entire budget was allotted to education."

The role of missionary schools in the educational system of the three territories was also discussed. A number of representatives contended that missionary schools should be replaced or supplemented as rapidly as possible by government schools. The United States Representative and others, while pointing out the contributions of the mission schools to education, held that the administering authority should supervise and set standards for the entire educational system, a view which was accepted by the Council.

In the discussion of political advancement, the major issue was a dispute over administrative unions between trust territories and territories under the sovereignty of the administering authorities. The debate on administrative unions centered around the establishment of an interterritorial organization linking Tanganyika with the British territories of Kenya and Uganda, and the "Papua and New Guinea Act, 1948", a bill proposing joint administration under a single administrator for New Guinea and the Australian territory of Papua. Several members of the Council expressed the fear that these administrative unions might lead to the obliteration of the boundaries of the trust territories and to the loss of their political identities. The administering authorities concerned, however, renewed their assurances that the identity of the trust territories would be maintained. They also contended that the establishment of administrative unions was fully within their powers under the terms of the trusteeship agreements.

After extensive discussion, the Council decided that it would be premature to form a definite opinion regarding the interterritorial organization in East Africa but welcomed the assurance given by the United Kingdom that the existing status and identity of Tanganyika would be maintained. The proposed administrative union between New Guinea and Papua was more sharply criticized. The Council questioned whether the proposed union would not "compromise the preservation of the separate identity of the trust territory." Accordingly, it recommended that the administering authority "review the matter of administrative union . . . ." The Australian Government subsequently announced that, in the light of the Trusteeship Council's comments, it was prepared to make certain changes in the text of the Papua and New Guinea Act.

During the debate on administrative unions disagreement also arose as to whether an administering authority must inform or consult the Trusteeship Council before establishing an administrative, fiscal, or customs union, or federation, or extending any such arrangement already in existence. The Belgian, French, United Kingdom, and Australian Representatives contended that by insisting on advance

consultation the Trusteeship Council would be unwisely assuming an administrative rather than a supervisory role. Representatives of China, Mexico, the Philippines, and the Soviet Union, however, argued that any measures changing, or likely to change, the status of a trust territory must be submitted by the administering authority to the Council before being put into effect.

Spokesmen for the remaining two administering authorities, New Zealand and the United States, expressed the opinion that prior consultation, though not required, was desirable. The United States Representative expressed the view that "it would not only be a courtesy but also would facilitate the practical work of the Council if an administering authority should inform the Trusteeship Council before implementing any plan it has formed for establishing such a union or federation." He declared that the United States for its part would "notify in advance the appropriate organ of the United Nations in the event of any proposed changes which might affect the separate administration of the Trust Territory of the Pacific Islands, such as an administrative union or federation between the trust territory and the territory under United States sovereignty or control."

The Council finally voted to note that the interterritorial organization was put into effect without prior consultation with the Trusteeship Council and to express the hope that "the administering authority would consult the Trusteeship Council before undertaking any extension or modification of the present arrangement which might affect the status of Tanganyika."

The Council also gave attention to ways and means of promoting the social and economic advancement of the three areas under discussion. In the economic field, emphasis was placed upon the importance of safeguarding the interests of indigenous land owners, while in the social field the need for a greater number of qualified medical practitioners was stressed.

## VISITING MISSION TO EAST AFRICA

The Trusteeship Council, in contrast to the Permanent Mandates Commission, is empowered to send missions to visit areas under its supervision. Although a special mission investigated a specific problem in Western Samoa in 1947, the year 1948 marked the dispatch of the first regular visiting mission. Departing from Lake Success on July 15, this mission traveled through the East African trust territories of Ruanda-Urundi and Tanganyika. Made up of four representatives appointed by the Council, and assisted by six members of the United Nations Secretariat, the mission studied conditions in the two areas and gave a number of oral hearings to petitioners.

A visit to the four West African trust territories is scheduled for 1949, while the four Pacific trust territories will presumably be visited a year later.

The Council decided to appoint nationals of Australia, China, Costa Rica, and France to the East African mission. H. Laurentie of France was named chairman, despite Soviet objections that a former colonial administrator could not be expected to be impartial. The Soviet Delegate also objected to appointments of individuals, arguing that countries and not persons were members of the Trusteeship Council and must therefore be members of the mission. A majority of the Council, however, including the United States, maintained that members of visiting missions, although nominated by governments, are appointed by the Council as individuals and are responsible only to the Council.

Another controversy concerned the directions given the mission by the Trusteeship Council. While the nonadministering authorities proposed detailed items for the mission to investigate, the administering authorities sought to instruct the visiting mission in very general terms. The Soviet Representative phrased his suggestions of topics for investigation in such a way as to condemn the administering authorities, a procedure which was naturally objectionable to the latter. The decision on the proposal to list specific details marked the first instance in the Council's history when a vote on an important item was evenly divided between the administering and nonadministering members. In accordance with the Council's rules of procedure, a second vote was then taken. Since the result was again a tie, the proposal was lost.

## PETITIONS

Another important function of the Trusteeship Council is the examination of petitions from inhabitants of trust territories or other interested parties. Two of the thirteen petitions examined at the Third Session provoked a controversy over matters of principle. The first petition, from an American citizen who had lived many years in Tanganyika, made a number of allegations regarding conditions in that territory and requested an investigation on the spot. On the question of granting the petitioner the opportunity of an oral hearing to present his views, the opinion of the Council was divided. The Soviet Representative contended that any petitioner had the right to make an oral presentation, while other representatives argued that only a resident of the trust territory could appear in person. The United States considered that the place of residence of a petitioner

was irrelevant. The United States Representative took the position that petitioners could not appear before the Council as of right, but that an oral hearing was a privilege to be accorded or refused by the Council in each instance. In the case of the petition in question, the United States felt that an oral presentation was unnecessary, since the Council had already agreed to the sending of a visiting mission to Tanganyika, which was the burden of the petition. The Council decided to reject the petitioner's request for a hearing but voted to inform him that the issues raised in his petition would be investigated by the visiting mission.

A second important principle arose from a petition containing a protest against the interterritorial organization in East Africa. The United Kingdom Representative objected that the petition did not concern a trust territory alone. After prolonged debate, however, the Council decided to discuss the petition as far as it related to the trust territory of Tanganyika but to reject that part of it concerning Kenya and Uganda, which are not trust territories.

## SPECIAL QUESTIONS: SOUTH WEST AFRICA AND CITY OF JERUSALEM

Two questions relating to areas which are not trust territories—South West Africa and the City of Jerusalem—had been specially referred to the Trusteeship Council by the General Assembly.

In 1947 the Union of South Africa submitted to the United Nations a report on the administration of the mandated territory of South West Africa and in 1948 provided additional information in answer to a series of questions from the Trusteeship Council. On the basis of this information, the Council felt that there were certain deficiencies in the administration of South West Africa. These observations were subsequently discussed by the General Assembly as reported later in this chapter.

The second special question pertained to the City of Jerusalem. As part of its plan for the partition of Palestine, the General Assembly, on November 29, 1947, directed the Trusteeship Council to prepare within five months a statute for the City of Jerusalem under which the Council would administer the city on behalf of the United Nations. A 6-member Working Committee spent 25 meetings preparing a draft statute, which was revised and prepared in final form by the Council.

However, in a resolution adopted on April 21, 1948, the Council decided to postpone formal approval of the draft statute. The completed statute was transmitted to the General Assembly, then meeting

in special session on the Palestine question, for further instructions. The Assembly gave no such instructions to the Council but, in view of the disorder then prevailing in Jerusalem, asked the Council to submit proposals for the protection of the city and its inhabitants.

The Council was unable to devise measures, in which the parties concerned would mutually acquiesce, which would provide adequately for the protection of Jerusalem. A United States suggestion that Jerusalem be placed under temporary trusteeship was rejected after objections from both the Arab Higher Committee and the Jewish Agency for Palestine. In its report to the General Assembly the Council noted that the interested parties had agreed to a cease-fire in the Walled City of Jerusalem. The Council also recommended Assembly endorsement of a United Kingdom suggestion for the appointment by the mandatory power of a neutral person, acceptable to both Jews and Arabs, as special Municipal Commissioner for Jerusalem. The General Assembly adopted this recommendation. However, shortly thereafter organized armed conflict broke out in Jerusalem, and the new Commissioner never functioned effectively. At its Third Session the Trusteeship Council decided over Soviet objection to adjourn consideration of the statute for Jerusalem indefinitely.

## RELATIONS WITH OTHER ORGANS

The trusteeship agreement between the Security Council and the United States for the Trust Territory of the Pacific Islands entered into force on July 18, 1947. This agreement establishes a "strategic area," for which the Charter provides that the Security Council, rather than the Trusteeship Council, shall exercise all United Nations functions. The Charter further provides, however, that the Security Council shall, subject to the provisions of the trusteeship agreements and without prejudice to security considerations, avail itself of the assistance of the Trusteeship Council to perform those functions under the trusteeship system relating to political, economic, social, and educational matters in strategic areas.

The question of the extent to which the Security Council might avail itself of the assistance of the Trusteeship Council was raised by article 13 of the trusteeship agreement for the Trust Territory of the Pacific Islands. In proposing the terms of this article the United States went beyond the trust requirements of the Charter by agreeing that articles 87 and 88, which are applicable to nonstrategic areas, would be applicable to this territory provided that the administering authority may determine the extent of their application to any areas

which may from time to time be specified by it as closed for security reasons.

As a result, the Security Council and the Trusteeship Council have been confronted throughout the past year with the problem of devising a suitable procedure for the application to the trust territory of the trusteeship functions of the United Nations.

The Security Council on November 15, 1947, referred the matter of its functions in relation to strategic areas to its Committee of Experts, where unexpected complications were encountered. After devoting seven meetings to the matter, the majority of the Committee recommended the adoption of a resolution requesting the Trusteeship Council to perform, on behalf of the Security Council and subject to the latter's decisions concerning security matters, the functions specified in articles 87 and 88 of the Charter relating to reports, visits, and petitions. The resolution proposed by the majority also would request the Trusteeship Council to take steps to keep the Security Council informed concerning reports, petitions, and the questionnaire relating to the territory. A minority of the Committee of Experts opposed the recommendation principally because in their opinion this would give the Trusteeship Council full power to formulate the questionnaire contrary to the Charter's provisions regarding strategic areas.

In its efforts to cooperate with other United Nations organs, the Trusteeship Council at its Third Session also agreed to cooperate in carrying out a resolution adopted by the Economic and Social Council. This resolution called upon the Secretary-General to initiate studies and to collect and disseminate information and reports concerning social-welfare administration, social services in rural communities, child welfare, and training of social-welfare personnel in underdeveloped regions.

## TRUSTEESHIP DISCUSSIONS IN GENERAL ASSEMBLY

The conclusions and recommendations adopted by the Trusteeship Council during its Second and Third Sessions were embodied in a report submitted to the Third Session of the General Assembly. This report was examined over a period of several weeks by the Assembly's Fourth Committee, where all Members of the United Nations, whether or not represented on the Trusteeship Council, had an opportunity to express their views. Many comments and suggestions were made, sometimes highly critical, but for the most part constructive. As in the past, administering authorities were sharply

criticized by certain delegations. While a sincere desire to promote the welfare of the trust territories motivated some of these criticisms, others were obviously made for the purpose of political propaganda. However, the Fourth Committee appeared to be little affected by such propaganda.

The debate on the Trusteeship Council's report culminated in the unanimous adoption of four resolutions by the General Assembly on November 18, 1948. In one of these resolutions the General Assembly took note of the report of the Trusteeship Council and recommended that the Council consider at its next session the comments and suggestions made by the Assembly.

A second resolution, initiated by several Latin American delegations, recommended a number of steps to facilitate educational advancement in trust territories. The Trusteeship Council was requested to study the financial and technical implications of a further expansion of higher education in Africa, including the possibility of establishing in 1952 a university for the trust territories. This study is to be undertaken in consultation with administering authorities, and the Council is authorized, if it so desires, to consult UNESCO.

A third resolution, emphasizing principles already contained in the Charter of the United Nations and the terms of the trusteeship agreements, urged the administering authorities to take all possible steps to promote the progressive development of the trust territories.

The complex and controversial question of administrative unions was the subject of a fourth resolution. The general feeling in the Assembly was that this problem merited a more comprehensive study by the Trusteeship Council before further consideration in the Assembly. This feeling was shared by the administering authorities, who expressed their willingness to cooperate fully. When a resolution advocating a general investigation of administrative unions was introduced in the Fourth Committee, however, it contained a number of paragraphs expressing opinions and making recommendations on the substance of the problem. Although agreeing with most of these opinions, the United States and a number of other Members believed it premature and illogical for the General Assembly to express opinions and reach conclusions concerning administrative unions in the same resolution which called for an investigation. Since this view was not shared by a majority of the members of the Fourth Committee, the debatable paragraphs were approved by that Committee. In the plenary session of the Assembly, however, these paragraphs failed to receive the two-thirds vote necessary for their retention in the resolution. The resolution on administrative unions, as finally adopted



by unanimous vote of the General Assembly, simply provides for a Trusteeship Council investigation of the whole problem.

### SOUTH WEST AFRICA

In addition to examining the report of the Trusteeship Council, the General Assembly for the third time debated the future of the mandated territory of South West Africa. The debate was featured by controversy over South Africa's announcement that South West Africa was to be brought into closer association with the Union by a grant of representation in the Union Parliament. When several members of the committee voiced opposition to this plan, they were assured by the Representative from South Africa that the Union did not intend to incorporate or absorb the territory. He also reaffirmed the Union's intention to continue administering South West Africa in the spirit of the mandate.

During the ensuing debate several proposals, including the sending of a United Nations Commission to South West Africa, were introduced by delegations critical of the Union. However, with a view to securing from the Union further reports on South West Africa for examination by the Trusteeship Council, the Fourth Committee adopted a resolution in more moderate terms. It expressed regret that the Union of South Africa had failed to comply with the Assembly's request to place South West Africa under the trusteeship system and recommended that the Union continue to supply annual information on the administration of South West Africa until agreement is reached with the United Nations regarding the future of the territory.

In the plenary discussion this recommendation was condemned as falling far short of what was required under the Charter. The Union Delegate, however, insisted that his Government was under neither legal nor moral obligation to submit a trusteeship agreement. At his request a roll-call vote was held on the paragraph of the resolution which maintains the recommendation of the First and Second Sessions of the Assembly that South West Africa be placed under the trusteeship system. After the controversial paragraph was approved by a vote of 32 to 14, with 5 abstentions, the whole resolution was adopted with only South Africa's opposing vote.

### TRUST TERRITORY OF THE PACIFIC ISLANDS

There were several notable developments during 1948 regarding the administration of the Trust Territory of the Pacific Islands, for which the United States is the administering authority.

Soon after the conclusion of the trusteeship agreement between the United States and the Security Council, which came into force on July 18, 1947, work was begun on organic legislation for the territory by way of fulfilment of article 12 of the agreement. Such legislation was introduced into the Eightieth Congress which, because of insufficient time, was unable to act on this matter.

With the rapid withdrawal of American armed forces from the Trust Territory, the local administration has been confronted by the need for rehabilitating the native economies of the widely scattered islands which comprise the Trust Territory. One of the most important steps taken in this regard has been the effort to revive and further the fishing industry. This Government announced its policy relating to commercial fishing opportunities in the Trust Territory on September 29, 1948. Fishing opportunities in the territorial waters of the Trust Territory will be equally available to fishing enterprises of all nations, except that the High Commissioner will have discretion in excluding enterprises for reasons of security or for the purpose of carrying out the obligation to promote the advancement of the inhabitants. The taking of fish and the establishment and maintenance of shore facilities will be strictly controlled by the High Commissioner in order that the welfare of the native inhabitants can be safeguarded and the harvesting of the resources can be undertaken along adequate conservational lines. This effort is in keeping with the general policy of this Government to develop the territory in behalf of the local inhabitants.

The first annual report to the United Nations on the administration of the Trust Territory has been prepared by the Department of the Navy. This report is to be transmitted to the United Nations early in 1949.

### *Non-Self-Governing Territories*

The "Declaration Regarding Non-Self-Governing Territories" (chapter XI of the Charter) set forth certain guiding principles for the administration of non-self-governing territories. Furthermore, it obligates those members having responsibilities for such territories to transmit regularly to the Secretary-General for information purposes, subject to such limitations as security and constitutional considerations may require, statistical and other information of a technical nature relating to economic, social, and educational conditions. The development of methods for dealing with this information submitted under article 73 (e) has constituted an important and controversial aspect of United Nations activity during its third year.

Information submitted on non-self-governing territories is handled in accordance with resolutions of the General Assembly, which has assigned the responsibility for a preliminary review of this information to a "Special Committee on the Transmission of Information Under Article 73 (e) of the Charter". This Committee is empowered to examine the information and, with certain restrictions, make recommendations for the consideration of the General Assembly.

During the year 1948, eight Members of the United Nations submitted information in accordance with article 73 (e) of the Charter on some sixty non-self-governing territories. The best use to be made of this annual information has been a continuing problem within the United Nations.

## UNITED STATES ACTION IN SUBMITTING REPORTS

In compliance with the declaration regarding non-self-governing territories contained in chapter XI of the Charter, the United States promptly submitted annual reports to the United Nations on Alaska, Guam, Hawaii, Puerto Rico, American Samoa, and the Virgin Islands for the fiscal year 1947. Prepared by the territorial governments in collaboration with Federal departments, these reports generally followed a standard form, originally suggested by the United States, which was adopted by the General Assembly on November 3, 1947.

The United States also provided voluntary information called for by the optional part of the standard form on geography, history, people, government, and human rights. The major portion of the standard form, however, requests detailed information on labor and employment conditions, public health and sanitation, housing, welfare and relief, educational policy, agriculture, industry, communications and transport, and banking and credit.

## METHOD OF EXAMINING REPORTS

The General Assembly, under resolution 146 (II), adopted November 3, 1947, invited its Fourth Committee to constitute a special committee,

"to examine the information transmitted under Article 73 e of the Charter on the economic, social and educational conditions in the Non-Self-Governing Territories, and to submit reports thereon for the consideration of the General Assembly with such procedural recom-

mendations as it may deem fit, and with such substantive recommendations as it may deem desirable relating to functional fields generally but not with respect to individual territories."

The Special Committee, duly established by the General Assembly in 1948, met at Geneva from September 2 to 17, and at Paris on September 23 and 29.

As in the case of last year's *Ad Hoc* Committee on the same subject, 8 of the 16 members of the Special Committee represented states administering and reporting on non-self-governing territories, and an equal number, elected by the General Assembly, represented non-administering members. The Committee for 1948 was composed of Australia, Belgium, Denmark, France, the Netherlands, New Zealand, the United Kingdom, and the United States (administering members), and China, Colombia, Cuba, Egypt, India, Nicaragua, Sweden, and the U.S.S.R. (nonadministering members). In addition representatives of the following specialized agencies participated in the discussions on matters affecting the work of their organizations: the World Health Organization (WHO), the International Labor Office (ILO), and the United Nations Educational, Scientific and Cultural Organization (UNESCO).

Summaries and analyses of the information on some sixty territories were prepared by the Secretariat. Proceeding on functional lines, the analyses covered economic, health, labor, and educational conditions and social welfare. Information regarding the development of self-governing institutions, voluntarily transmitted by the United States, Australia, Denmark, the Netherlands, New Zealand, and France (for Morocco and Tunisia), was not analyzed but was included in the summaries prepared by the Secretariat.

In the effort to improve the preparation and use of this information, the Committee made general comments on the analyses for the guidance of the administering authorities and of the Secretariat. These comments included suggestions: (a) for further improvement in the presentation of statistical information; (b) for the preparation of special studies, including those of a long-range nature which might be undertaken in collaboration with the specialized agencies; and (c) for the amplification of information on certain topics in future reports.

### RESOLUTIONS ADOPTED

The Special Committee, after two weeks of debate in which the United States often played the role of conciliator, adopted four resolutions. These were in turn adopted by the Fourth Committee together with a fifth resolution initiated by the Delegation of India in

the Fourth Committee. In plenary meeting at its Third Regular Session the General Assembly adopted, by large majorities and without change, the five resolutions accepted by the Fourth Committee.

The five resolutions deal respectively with:

I. The transmission of information under article 73 (e) of the Charter;

II. The continuation of the Special Committee for 1949;

III. Liaison between the Economic and Social Council and the Special Committee;

IV. Cooperation with the specialized agencies; and

V. Notification to the United Nations when a non-self-governing territory acquires a new constitutional status which, in the view of the administering member, makes the territory no longer non-self-governing.

Resolution I, adopted by the Special Committee by a vote of 14 to 1 (U.S.S.R.), registers the consensus of the Committee that previous procedures for the transmission and consideration of information had not worked satisfactorily. It invites the administering members to transmit the most recent information which is at their disposal as early as possible, and at the latest within a maximum period of six months following the expiration of the administrative year in the territories. This system substitutes, in place of the uniform date of June 30 for the receipt of information, a flexible schedule based on the fiscal years of the administering members. Pursuant to this resolution, information on the United States territories will be due on December 31 of each year, since the fiscal year for these territories ends June 30. It is hoped that this revised schedule for the receipt of information will give the Secretariat more time to prepare the summaries and analyses in advance of future Special Committee and General Assembly sessions.

Other provisions of this resolution reduce the reporting burdens of the administering members by requesting them not to report fully each year on all topics of the lengthy standard form, but only on appreciable changes which have occurred during the previous year. Further, for the purpose of evaluating the information transmitted under article 73 (e), the Secretary-General is empowered in the future to use, without prior consent of the government concerned, relevant and comparable official statistical information transmitted to the United Nations or the specialized agencies. This represents a liberalization of last year's resolution on supplemental documents. The Secretary-General is authorized to prepare summaries and analyses of information transmitted during 1949 and after that to do so at three-year intervals, with annual supplements pointing out changes

in statistics and outstanding developments. Finally, those administering authorities which do not feel that they can transmit information on government are invited nonetheless to report on geography, history, peoples, and human-rights problems of the territories.

The United States Delegation to the Special Committee was aware of defects in the former system which did not allow sufficient time for the Secretary-General to prepare the summaries and analyses, the specialized agencies to contribute to the analyses, or the members of the Special Committee to examine the documentation in advance of sessions of the Special Committee and the General Assembly. Accordingly, the United States Delegation introduced a working paper to simplify the procedure and to correct these defects. This paper was well received by the Committee, and parts of it were incorporated in a modified form into the final resolution.

Resolution II, which was adopted by the Special Committee by a vote of 11 to 1 (U.S.S.R.), with 3 abstentions (Belgium, Colombia, France), provides for the continuation of a Special Committee for 1949 without prejudice as to the future. This committee will have the same balanced representation and terms of reference as this year's committee. In addition to the eight administering members, the committee for 1949 includes the following nonadministering states elected by the Fourth Committee on behalf of the General Assembly: Brazil, China, the Dominican Republic, Egypt, India, Sweden, Venezuela, and the U.S.S.R. While certain nonadministering members wished to have the Special Committee established on a permanent basis, some of the administering members preferred the termination of the Special Committee at this Session and the transfer of its functions to the specialized agencies. The United States pressed for the resolution as adopted as a reasonable compromise between these divergent views.

Resolution III is designed to define more precisely the relationship which should exist between the Special Committee and the Economic and Social Council. The resolution was adopted by the Special Committee by a vote of 14 to 0, with 1 abstention (U.S.S.R.).

Resolution IV seeks to insure cooperation between the specialized agencies and the Special Committee on economic, social, and educational matters in the non-self-governing territories. It was accepted by the Special Committee 14 to 0, with the U.S.S.R. abstaining.

Resolution V, initiated by India in the Fourth Committee of the General Assembly and supported by the United States, was adopted 29 to 0, with 17 abstentions. The resolution establishes the principle that the United Nations is entitled to be informed of any change in the constitutional position or status of a non-self-governing territory as the result of which the responsible government concerned

thinks it unnecessary to transmit information in respect to that territory under article 73 (e) of the Charter. The resolution also contains a request to the members concerned to communicate to the Secretary-General within a maximum period of six months appropriate information relating to the new status of the non-self-governing territory, including the constitution, legislative act or executive order providing for the government of the territories, and the constitutional relationship of the territories to the government of the metropolitan country. This resolution arose from the circumstance that some administering members ceased to report in 1947 and in 1948 on certain territories on which they had in 1946 declared their intention to report. It was the understanding of the United States Government that the transmission of the information requested in the resolution did not alter the right of each administering state to determine the constitutional position and status of any particular territory under its sovereignty.

### CONFLICT OF ATTITUDES

Sharp differences of opinion emerged in earlier sessions of the United Nations between administering and nonadministering members over interpretation and implementation of chapter XI. In 1948 these differences of opinion were primarily concerned with (a) the continuation of the Special Committee on a permanent or reconstituted basis and (b) the obligation of the administering members to transmit political information.

The Soviet Union introduced resolutions which, in addition to establishing the Special Committee as a permanent body, would have endowed it with powers comparable to those of the Trusteeship Council, to consider information from private individuals both within and without the territories, to examine petitions, and to send annual missions to non-self-governing territories. Some of the administering powers (the United Kingdom, France, and Belgium) were not only opposed to the establishment of the Committee on a permanent basis but sought to limit its functions to the improvement of procedures for the transmission of information. Belgium proposed that the specialized agencies take over the functions of the Special Committee. The United States, with the support of Denmark, took the lead in securing the adoption of the compromise contained in resolution II.

A number of members of the Special Committee have contended that what is termed political information is required, although article 73 (e) calls only for "statistical and other information of a technical nature relating to economic, social, and educational conditions." The political information furnished by six of the eight administering

members, including the United States, was summarized by the Secretary-General and was available to all members of the Committee. However, little attention was given by the Committee to the substance of this information voluntarily submitted. Instead, administering members which had not submitted such information were sharply criticized. The Special Committee adopted a proposal that members who had not heretofore transmitted information on government in the optional category of the standard form be invited, nevertheless, to cover the other topics, namely: geography, history, people, and human rights.

The United States, as an administering member, contributed substantially to the accomplishments of the Committee by acting as a moderating force in reconciling the conflicting views.

### *Regional Commissions*

Members of the United Nations which have non-self-governing territories in the Caribbean and South Pacific regions continued their efforts through two regional commissions for the economic and social advancement of the peoples of these areas. Member Governments of the four-power Caribbean Commission are France, the Netherlands, the United Kingdom, and the United States; the membership of the six-power South Pacific Commission includes Australia and New Zealand in addition to the four Governments just mentioned.

The Eightieth Congress enacted legislation on January 28, 1948, authorizing participation by the United States in the South Pacific Commission. Subsequently, on July 27, 1948, the agreement establishing that Commission formally entered into effect. Similar enabling legislation was enacted on March 4, 1948, for the Caribbean Commission. The Caribbean Commission agreement entered into force on August 6, 1948.

Neither the Caribbean Commission nor the South Pacific Commission has an organic relationship with the United Nations, but both regional advisory groups maintain liaison with the United Nations and its specialized agencies. In accordance with Article XXI of the South Pacific agreement, the Government of Australia, in behalf of all six participating governments, registered the agreement with the Secretariat of the United Nations. The Caribbean Commission has directed that liaison be maintained on a secretariat level between the Caribbean Commission and the United Nations and its specialized agencies. Observers from the United Nations attended the first meeting of the Caribbean Research Council and the Third Session of the West Indian Conference, a biennial meeting of representatives of the peoples of the Caribbean region. The International Labor Office also sent an observer to this Conference. Canada, as in the two pre-



vious Conferences, and Cuba, Haiti, and the Dominican Republic demonstrated their interest in the Conference by sending observers.

The development of these regional commissions is an attempt to maintain and enhance the international cooperation on a regional basis which existed during the war years.

## *Conclusion*

In fulfilling its obligations under chapters XI, XII, and XIII of the United Nations Charter the United States during 1948 continued to adhere to its traditional policy of supporting the aspirations of dependent peoples for self-government or independence. This long-standing policy is well illustrated by the character of American administration in the Philippines, which led to the formation of the independent Republic of the Philippines in 1946. Another notable development in United States territories occurred at the very time the problems of non-self-governing territories were under discussion at the Third Session of the General Assembly. In November 1948, on the basis of universal, adult suffrage, Puerto Rico elected a native-born citizen to its governorship. Puerto Rico is thus in the unique position of being the only non-self-governing territory in the world which has the power to elect its own governor.

The system of accountability under article 73 (e) of the Charter is evolving slowly. At its 1948 session, the Special Committee devised a method of reporting which will enable the examining bodies of the United Nations to have more opportunity to study the reports. At the same time the new method will reduce some of the burden on overworked staffs of territorial governments. A spirit of moderation, compromise, and cooperation prevailed in the Special Committee, although a disproportionate amount of time was devoted to procedural matters and the attitude of the U.S.S.R. throughout was unconstructive.

The work of the Trusteeship Council was highly praised by the Philippine Representative, who stated in a plenary session of the General Assembly that it represented "a high-water mark of political morality in the modern world." The Council was confronted with many difficulties, however, and a number of problems remain to be solved by those Members of the United Nations who share the determination of the United States to carry out the provisions of chapters XII and XIII.

After the Soviet Representative took his place at the Council table in April 1948, the spirit of compromise which had marked previous meetings was broken. The effect of Soviet participation was to sharpen the differences between administering and nonadministering members and to split the vote between the two groups more often.

By his repeated attacks on the performance and intentions of the administering authorities, the Soviet Representative beclouded technical issues with propaganda. At the Third Session a statement of minority views—those of the Soviet Representative—was for the first time appended to a Trusteeship Council report.

The high purposes which motivated the inclusion of chapter XI, XII, and XIII in the Charter continue to guide the actions of the United Nations, and the machinery for carrying out these purposes is functioning with increasing efficiency. Determined effort will make possible even further progress toward the Charter objectives of promoting to the utmost the well-being of the inhabitants of those territories which have not yet attained a full measure of self-government.

## ADMINISTRATIVE AND BUDGETARY QUESTIONS

Managerial and financial problems are usually of little interest to the general public and the press. The fact that these administrative aspects of the United Nations have attracted little attention is no measure of the importance with which they are regarded by the Member governments. It is recognized that their careful consideration and disposition are essential to healthy organization and efficient administration, particularly since the United Nations is without precedent in the area of international organization, the Secretariat is staffed with persons of many nationalities, and willing financial support is dependent on the satisfaction of the governments of 58 Members that their contributions are used wisely and efficiently.

The General Assembly's Fifth Committee, the Administrative and Budgetary Committee, is one of the busiest of the six main committees of the Assembly. During the Third Session it held 73 meetings and disposed of 35 agenda items which varied widely in significance and difficulty. Revised staff pension regulations, the audit report on 1947 accounts, a procedure for liquidating indebtedness to members of the League of Nations for assets transferred to the United Nations, a policy for the payment of expenses of commissions and other United Nations bodies, and proposals for a United Nations telecommunication system and a United Nations postal administration are examples of items discussed by the Fifth Committee in addition to broader issues, such as the annual budget and the scale of member assessments. Major decisions are reported in the succeeding paragraphs along with significant administrative and financial developments of the year.

*Major Decisions and Developments*

## BUDGET

The General Assembly adopted a United Nations expenditure budget for 1949 in the amount of \$43,487,128. Miscellaneous income, estimated at \$4,794,550, reduces to \$38,692,578 the amount to be assessed against Members.

The General Assembly also approved a supplementary budget for 1948 to reimburse the Working Capital Fund for extraordinary and unforeseen expenditures which had not been anticipated by the 1948 appropriations. This supplementary appropriation, \$4,460,541 in amount, brought the 1948 expenditure budget to a total of \$39,285,736.

It will be noted that, despite the expansion of United Nations activities, the 1949 expenditure budget is not much larger than the comparable budget for 1948, i.e. \$43,487,128 for 1949 and \$39,285,736 for 1948. However, decisions of the Second Part of the Third Session to be held at Lake Success in April and unforeseen and extraordinary expenses during the year may necessitate a supplementary budget for 1949.

The budget as finally adopted is the product of many months of careful development and detailed screening. In June 1948 the Secretary-General submitted an estimate of approximately \$33,500,000. A standing committee of the General Assembly—the Advisory Committee on Administrative and Budgetary Questions, composed of nine experts from as many countries and serving in their individual capacities—devoted approximately seven weeks of the summer to a thorough review of the estimates and of both written and oral justifications submitted by the Secretariat. The Committee recommended to the General Assembly that the estimates be reduced by approximately \$1,500,000. The Secretary-General agreed to accept most of the reductions before the proposed budget was considered by the Fifth Committee.

The Fifth Committee devoted about eight weeks to a close scrutiny of all details of the budget. Its final recommendation was submitted to the plenary session on the last day of the Assembly and approved by a vote of 48 to 0, with 6 abstentions, the United States voting in favor.

The 1949 budget submitted by the Secretary-General was more than one million dollars less than the original appropriation for 1948. This was due partly to the fact that the 1948 budget provided for a number of activities—the Balkan Commission, the Korean Commission, the Interim Committee of the General Assembly, and the holding of the regular session of the Assembly away from headquarters—the

continuation of which in 1949 had not been authorized and for which the Secretary-General accordingly had not included estimates in his 1949 budget proposal. However, as noted by the Advisory Committee, the reduced estimates also reflected certain administrative reforms during 1948. Further, the Secretariat's estimates had been prepared more realistically and were justified more adequately than in 1948.

The United States position generally was to support most of the Secretary-General's estimates as modified by his acceptance of substantially all of the Advisory Committee's recommendations for reduction. In a few cases, particularly the estimates for advisory social-welfare activities, the United States supported increases; in other cases, such as the estimate for expatriation allowances for members of the staff of the Secretariat, the United States pressed for decreases. The result of reductions and additions made by the Fifth Committee during the first reading of the budget was provisional approval of a budget of about \$32,480,000. The difference between this figure and the amount of \$43,487,128, which was finally adopted, is largely accounted for by authorizations for the continuation or initiation of activities not included in the original estimates, such as the Conciliation Commission in Palestine (\$3,000,000), the Special Committee on the Balkans (\$1,347,300), the Korean Commission (\$334,000), the Kashmir Commission (\$326,089), the Indonesian Good Offices Committee (\$215,114), adoption of Spanish as a third working language in the General Assembly (\$300,000), and the holding of the Second Part of the Third Session in April (\$336,000).

### SCALE OF MEMBER ASSESSMENTS

The scale of assessments for member contributions to the budget for 1949 remains substantially the same as the scale of assessments for 1948. As in 1948, the United States share in 1949 is 39.89 percent of the aggregate assessment of Members. The admission of Burma made it possible to adjust the shares of two Members who clearly had been overassessed in 1948, but the percentage contributions of other Members are not affected.

This year, for the first time, a country which is not a Member of the United Nations but which has accepted the Statute of the International Court of Justice—Switzerland—is assessed a share of the expenses of the Court.

Although the scale of assessments has not been changed fundamentally for 1949, the General Assembly adopted a resolution which anticipates an eventual ceiling of 33.33 percent of the total assessments as the maximum which any one Member will be assessed in normal

times. United States delegations have sought acceptance of this principle at each regular session of the Assembly since 1946. The resolution which was finally adopted is the result of extended negotiations in a working group of the Fifth Committee and reflects directly the efforts that have been made each year since the United States Delegation at the Second Part of the First Session in 1946 first propounded the concept of a percentage ceiling for the scale of contributions.

The resolution of the General Assembly accepts "the principle of a ceiling to be fixed on the percentage rate of contributions of the Member State bearing the highest assessment" and recognizes in the preamble "that in normal times no one Member State should contribute more than one-third of the ordinary expenses of the United Nations for any one year." This resolution represents acceptance in principle of the position consistently maintained by the United States that, although relative capacities to pay must be regarded as a major factor in determining the scale of member contributions for a universal organization such as the United Nations, the concept of sovereign equality and its corollary of equal responsibilities must also be considered. In light of the opposition expressed by other Members in previous years, this resolution may be regarded as a significant accomplishment by the United States in the administrative and budgetary field.

Full implementation of the ceiling principle is not expected for several years. Because of the obvious dollar shortage experienced by almost all of the other Members (assessments are paid in dollars), the United States Delegation made it clear that it expected application of a ceiling when consistent with the financial ability of the Members to meet dollar assessments.

## CONSTRUCTION OF PERMANENT HEADQUARTERS

Pursuant to a resolution adopted by the General Assembly in 1947 in response to an offer made by the United States, the Secretary-General negotiated an agreement with the United States Government for an interest-free loan of \$65,000,000 to be used for construction of the permanent headquarters of the United Nations in the city of New York. The offer to negotiate such an agreement was made with the specific reservation that it would be subject to approval by the Congress.<sup>7</sup>

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<sup>7</sup> The background of the problem of financing the headquarters construction is set forth in *The United States and the United Nations: Report by the President to the Congress for the year 1947*, Department of State publication 3024, pp. 83-86.

The agreement provides that the Government of the United States will lend to the United Nations sums not to exceed in the aggregate \$65,000,000, which shall be expended only for the construction and furnishing of the permanent headquarters in the United Nations Headquarters District in the city of New York. The United Nations will repay the loan, without interest, in 32 annual payments beginning July 1, 1951. The United Nations agrees that, while any part of the indebtedness is outstanding, it will not create any mortgage, lien, or other encumbrance against the real property in the Headquarters District.

On April 7, 1948, the President transmitted the headquarters loan agreement to the Congress and urged its approval. Before the close of the regular session, the Senate passed Senate Joint Resolution 212 authorizing the President, after the Congress shall have appropriated the necessary funds, to bring the loan agreement into effect on the part of the United States. The House of Representatives completed action on this legislation during the special session of the Congress, and the legislation became law (Public Law 903, 80th Congress) upon signature by the President on August 11. The legislation approved the agreement as signed, adding provisions designed to assure that construction will proceed as planned and that advances will be called for only as needed. The legislation also authorizes and directs the Reconstruction Finance Corporation to make advances not to exceed in the aggregate \$25,000,000 pending appropriation of the full amount of \$65,000,000.

The General Assembly approved by acclamation the report of the Secretary-General on the agreement and the construction plans; expressed appreciation of the cooperation extended by the Government of the United States, the State of New York, and the city of New York; and applauded a statement of gratitude to the United States made by Assembly President Herbert Evatt. Special messages by Mr. Evatt to the President, to the Governor of New York, and to the Mayor of the city of New York supplemented the General Assembly action.

The headquarters site was acquired in March 1947 by the United Nations as a gift from John D. Rockefeller, Jr. It is located in New York between 42d Street and 48th Street and between the East River and First Avenue. The plans envisage three major structural units: a meeting hall for the General Assembly, a conference area housing the chambers for meetings of the Councils and other conference and committee rooms, and an office building for the Secretariat. Supplementing construction on the site itself, the city of New York is moving

ahead with a program of developing and improving the approaches to the site at an estimated cost to the city of \$20,000,000.

Since September the necessary excavation work has proceeded ahead of schedule. Excavation for the entire project is estimated to be approximately 80 percent complete as of the beginning of this year. A contract for the construction of the Secretariat building and for the construction of all of the foundation work has been let. It is anticipated that the Secretariat building will be completed during the latter part of 1950 and that the entire project will be finished by the summer of 1951.

### STAFF ASSESSMENT PLAN

One of the most significant decisions made by the General Assembly was the decision to institute, as of January 1, 1949, a staff assessment scheme for the Secretariat. Staff assessments are a form of internal income tax levied by the organization on the compensation received by staff members from the United Nations.

One of the earliest conclusions with respect to personnel matters reached by the General Assembly was that equality of treatment for the staff could not be achieved so long as staff members were subject to diverse systems of national income taxation. While some persons would be immune from taxes, others receiving the same salaries for similar jobs would pay taxes at varying rates. To eliminate this inequity, Members were requested to exempt from national taxation incomes received from the United Nations. At the same time, it has always been recognized that the granting of immunity from national income taxation would create a group of tax-privileged international public servants unless the United Nations itself acted to prevent such an undesirable result. The Secretary-General was instructed to study the problem and submit to the General Assembly proposals for a scheme of internal staff assessments.

To facilitate consideration of the Secretary-General's proposals, the Fifth Committee called upon a group of tax legislation experts, one from each of the following countries: France, the Netherlands, the United Kingdom, the United States, and Uruguay. On the basis of the tax experts' unanimous report, which was received and revised in minor detail by the Fifth Committee, the General Assembly adopted the staff assessment scheme by a vote of 35 to 1, with 2 abstentions. The rates of assessment are higher than the United States income tax rates for 1947 and lower than the Canadian rates. (United States and Canadian nationals are presently the only members of the Secretariat who are subject to national taxation on their United Nations incomes.) The scheme incorporates the progressive features of all

modern income-tax systems. It takes into account differences in family and dependency status, and the rates are progressively higher for persons in the higher salary brackets.

United Nations salaries have been fixed on a "net" basis in the past. The salary scales for comparable employment in the area of the headquarters were taken as a guide and then reduced so that the "take-home" pay of United Nations personnel would be comparable to outside income after (United States) taxes. It is necessary therefore to adjust the United Nations salaries upward to assure that staff members will continue to have roughly the same net salaries after assessment deductions.

The importance of these actions should not be underestimated because of the appearance of an immediately neutralized result. The significant aspects are these: (a) the staff assessment system assures that the granting by national governments of tax exemption for United Nations salaries to assure equal treatment for members of the Secretariat will not create a tax-privileged group of international public servants; (b) as conditions of employment outside the Secretariat change, the staff assessment system will provide a flexible means of achieving suitable adjustments; and (c) appropriate recognition now exists, as on the national level, for differences in marital and dependency status among employees.

Pending action by Member governments to relieve their nationals who are in the Secretariat from liability for what would otherwise be a form of double taxation, the Secretary-General is authorized to reimburse employees for taxes paid on their 1949 salaries.

## APPOINTMENTS TO FILL VACANCIES IN SUBSIDIARY BODIES

Appointments to fill vacancies on subsidiary bodies which are composed of experts serving in their individual capacities are normally accomplished with a minimum of negotiation and debate. This year the continuation in office of one expert whose terms of office on the Contributions Committee and the Administrative and Budgetary Committee do not expire until December 31, 1950, and December 31, 1949, respectively, became a matter of heated discussion involving a significant principle.

Dr. Jan Papanek, a Czechoslovak national, had become *persona non grata* with the Czechoslovak Government following the establishment of a Communist regime in the spring of 1948. The Czechoslovak Delegation requested the General Assembly to terminate his office in both committees. The basic issue involved was whether an individual



who is elected to serve on one of the expert bodies subsidiary and advisory to the General Assembly can be continued in office if he ceases to be acceptable to his own government. The United States strongly maintained the position that it is inappropriate and undesirable to subject the membership of expert advisory bodies to the whims of changing national political regimes. The United States reasoned that the General Assembly had the choice of confirming the long-accepted principle of looking to committees of independent experts to assist in the consideration of complex administrative and financial matters, or of establishing the undesirable precedent that members of expert committees should represent their own national governments. If the General Assembly were to take the latter course, the Advisory Committee and the Contributions Committee would tend to represent the interests of only 9 and 10 Member states, respectively, instead of serving objectively the interests of the total membership.

The United States position accorded fully with the spontaneous reaction of many other delegations. By a vote of 30 to 6, with 13 abstentions, the General Assembly decided against the termination of Dr. Papanek's office.

During the course of the General Assembly session, Donald C. Stone, the United States national serving on the Advisory Committee on Administrative and Budgetary Questions, submitted his resignation because of the press of duties with the Economic Cooperation Administration in Washington. The General Assembly unanimously elected William O. Hall, Director of the Office of Budget and Planning, Department of State, to complete Mr. Stone's term of office, which expires at the end of 1949.

## ADOPTION OF SPANISH AS A THIRD WORKING LANGUAGE

Culminating a discussion which began during the San Francisco conference in 1945, the General Assembly voted on December 7, 1948, to adopt Spanish as a third working language of the General Assembly in addition to the existing working languages, English and French. Spanish was already one of the five official languages. The decision was by a vote of 32 to 20, with 5 abstentions, despite a negative report by the Fifth Committee on this question, the United States voting in the negative.

The United States Delegation strongly supported the recommendation of the Secretary-General and the Advisory Committee against the adoption of a third working language. The Delegation made clear throughout the discussions in the Fifth Committee, and during the

plenary meetings of the Assembly itself, its view that the addition of any third working language would be undesirable because of the financial and administrative consequences. The United States Delegation pointed out that the existing rules of procedure concerning languages were sufficiently flexible to assure the 19 Spanish-speaking delegations that their practical working needs could be met without changing the status of Spanish and supported budgetary proposals designed to assure the meeting of such needs.

The adoption of a third working language necessitated an increase in the 1949 budget of \$300,000. This is on the assumption that the decision will not become operative until the Fourth Session of the General Assembly next fall. The decision on Spanish will raise the same question with respect to Chinese and Russian.

### ADMINISTRATIVE AND BUDGETARY RELATIONS WITH SPECIALIZED AGENCIES

The General Assembly, the Economic and Social Council, their subsidiary bodies, and the specialized agencies themselves have been preoccupied from the beginning with the problem of assuring that there is no duplication or overlapping of programs. They have also been concerned with the development of coordination in the administrative and financial fields with a view to improving efficiency and reducing the total costs of international organizations to the Member governments. Because the Charter assigns to the General Assembly and the Economic and Social Council special responsibilities in this area, the United Nations has taken the lead.

Program and policy-coordination problems and decisions are mentioned elsewhere in this report. In the field of administrative and budgetary coordination the administrative heads of the United Nations and the specialized agencies have developed machinery which has already resulted in the solution of several complex problems and promises to produce even better results in the future. The Advisory Committee on Administrative and Budgetary Questions noted the pattern of *ad hoc* working parties and joint committees among the United Nations and the specialized agencies, which is assuring close cooperation, and expressed satisfaction that considerable efforts are being made to insure that funds are not wasted through duplication of activities. The General Assembly directed the Secretary-General, in consultation with the Advisory Committee on Administrative and Budgetary Questions, to continue efforts further to improve administrative and budgetary coordination between the United Nations and specialized agencies, including consideration of the possibility of

developing a joint system for external audit and for common collection of contributions.

## INVITATION TO SECRETARY GENERAL OF ORGANIZATION OF AMERICAN STATES

At its Third Regular Session in Paris in 1948, the General Assembly adopted a resolution inviting the Secretary General of the Organization of American States to be present as an observer at the sessions of the General Assembly. This action resulted from an Argentine proposal for a permanent invitation to the Secretary General of the Organization. The Legal Committee, which recommended this action to the Assembly, stated its informal understanding that a similar status for the highest officers of other regional organizations would be favorably considered by the Assembly.

## PERMANENT MISSIONS TO THE UNITED NATIONS

Since the creation of the United Nations, the practice has developed of establishing permanent missions of Member states at the seat of the United Nations as a means of following more closely the activities of the organization. The credentials of these representatives were not submitted in any standard form, and it was sometimes difficult to determine whether delegates were entitled to represent their states on various organs of the United Nations.

With a view to regularizing the submission of credentials of permanent representatives, the General Assembly at its 1948 regular session adopted a resolution recommending that credentials should be issued either by the head of the state or of the government or by the minister of foreign affairs and should be transmitted to the Secretary-General. States desiring their delegates to represent them on one or more of the organs of the United Nations were requested to specify the organs in the credentials. The Secretary-General was instructed to submit at each regular session of the General Assembly a report on the credentials of representatives. The second part of the resolution of the Assembly instructs the Secretary-General to study all questions which may arise from the institution of permanent missions and, if necessary, to report on this subject at the next regular session of the Assembly.

# INTERNATIONAL LEGAL PROBLEMS

## *Cases Before International Court of Justice*

### CORFU CHANNEL CASE

On March 25, 1948, the International Court of Justice gave judgment on the preliminary objection raised by Albania in the *Corfu Channel* case.

The case arose out of the fact that on October 22, 1946, two British destroyers struck mines in Albanian territorial waters in the Corfu Channel. The explosions caused damage to the vessels and loss of life. A reference to the Security Council by the United Kingdom resulted in a recommendation by that body, on April 9, 1947, that the parties to the dispute refer the matter to the Court. On May 22, 1947, the United Kingdom filed an application with the Court, and by a letter of July 2, 1947, filed with the Registry of the Court, Albania indicated readiness to appear. Dates fixed for the filing of a memorial by the United Kingdom and of a countermemorial by Albania were October 1 and December 10, 1947, respectively. Within the time limit fixed for the latter, Albania submitted a "preliminary objection to the application on the ground of inadmissibility". Albania requested the Court (a) to place on record that in accepting the Security Council's recommendation of April 9, 1947, Albania had only undertaken to submit the dispute to the Court in accordance with the Statute, and (b) to give judgment that the application of the United Kingdom was inadmissible as "the case must be brought before the Court by the notification of the special agreement, and not by an application".

The Court duly placed on record, as requested by the Government of Albania, that the obligation incumbent upon that Government to refer the dispute to the Court, as a result of its acceptance of the Security Council's recommendation, could only be carried out in accordance with the Statute. It was pointed out in the judgment, however, that the Government of Albania had subsequently contracted other obligations. The Court did not consider that it was necessary to express an opinion on the contention of the United Kingdom that in all the circumstances there existed a case of compulsory jurisdiction. Rather, the Court held that the Albanian letter of July 2, 1947, constituted a voluntary acceptance of the Court's jurisdiction; it re-

moved, it was held, all difficulties as to the admissibility of the application and as to jurisdiction. When the Albanian Government stated in its letter of July 2 that it was prepared, notwithstanding the "irregularity in the action taken by the Government of the United Kingdom, to appear before the Court", it was clear, the Court held, that it waived the right to raise an objection to admissibility; when the Albanian Government expressly referred to "its acceptance of the Court's jurisdiction for this case", these words, the Court held, constituted a voluntary and indisputable acceptance of the Court's jurisdiction. The Court also held that reservations contained in the letter were intended only to maintain a principle and to prevent the establishment of a precedent for the future.

The judgment was delivered by the 15 judges of the Court, together with Dr. Igor Daxner, who was appointed judge *ad hoc* by the Albanian Government and who dissented. Judges Basdevant of France, Alvarez of Chile, Winiarski of Poland, Zoricic of Yugoslavia, de Visser of Belgium, Badawi Pasha of Egypt, and Krylov of the Soviet Union, while agreeing with the judgment of the Court, appended a separate opinion.

The Court fixed the time limits for the subsequent pleadings on the merits. The last of these time limits (the Albanian rejoinder) expired on September 20, 1948. Public hearings on the merits of the case began November 9, 1948, at The Hague.

## ADVISORY OPINION ON MEMBERSHIP QUALIFICATIONS

On November 17, 1948, the General Assembly of the United Nations adopted a resolution requesting the International Court of Justice to give an advisory opinion on the following question:

"Is a Member of the United Nations which is called upon, in virtue of Article 4 of the Charter, to pronounce itself by its vote, either in the Security Council or in the General Assembly, on the admission of a State to membership in the United Nations, juridically entitled to make its consent to the admission dependent on conditions not expressly provided by paragraph 1 of the said Article? In particular, can such a Member, while it recognizes the conditions set forth in that provision to be fulfilled by the State concerned, subject its affirmative vote to the additional condition that other States be admitted to membership in the United Nations together with that State?"

Article 3 of the Charter of the United Nations deals with original membership in the organization. Article 4 reads:

"1. Membership in the United Nations is open to all other peace-loving states which accept the obligations contained in the present Charter and, in the judgment of the Organization, are able and willing to carry out these obligations.

"2. The admission of any such state to membership in the United Nations will be effected by a decision of the General Assembly upon the recommendation of the Security Council."

In conformity with the Statute, the Registrar of the Court on December 12, 1947, gave notice that the Court was prepared to receive written statements in the matter before February 9, 1948. The Governments of 15 countries filed such statements. The Government of the United States in its statement, dated January 29, 1948, said:

"The Government of the United States, in harmony with the position taken by it in the United Nations, as is apparent from the official records, is of the view that the first paragraph of Article 4 of the Charter of the United Nations states all the qualifications required for membership in the United Nations. It seems clear that for a Member of the United Nations to make its vote, in the Security Council or in the General Assembly, on an application for membership dependent on conditions other than those set forth in Article 4, paragraph 1, would not be in accordance with the clear provisions of that Article. To make such a vote, while recognizing the conditions set forth in Article 4, paragraph 1, to be fulfilled by an applicant state, dependent upon the admission of other applicant states would, therefore, in this Government's judgment not be in accord with the Charter."

On April 22, 23, and 24, 1948, the Court heard oral statements by a representative of the Secretary-General of the United Nations and by representatives of the Governments of France, Yugoslavia, Belgium, Czechoslovakia, and Poland. The United States did not participate in the oral statements.

On May 28, 1948, the Court gave its advisory opinion. It answered each question in the negative.

As to the first question, the Court stated it to be its view that "The requisite conditions are five in number: to be admitted to membership in the United Nations, an applicant must (1) be a State; (2) peace-loving; (3) accept the obligations of the Charter; (4) be able to carry out these obligations; and (5) be willing to do so", and that

"All these conditions are subject to the judgment of the Organization. The judgment of the Organization means the judgment of the two organs mentioned in paragraph 2 of Article 4, and, in the last analysis, that of its Members."

Further, the Court advised that states which fulfil the conditions stated have the "qualifications" requisite for admission. The conditions listed in article 4 (1), the Court said, "constitute an exhaustive enumeration", and are not stated merely by way of "example"; are to be "regarded not merely as the necessary conditions, but also as the conditions which suffice"; are not to be regarded as "an indispensable minimum, in the sense that political considerations could be super-imposed upon them"; do not prevent an "appreciation" of "such circumstances of fact as would enable the existence of the requisite conditions to be verified"; and do not prevent "the taking into account of any factor which it is possible reasonably and in good faith to connect with the conditions laid down in that Article".

As to the second question concerning "a demand on the part of a Member making its consent to the admission of an applicant dependent on the admission of other applicants", the Court expressed the opinion that "such a demand clearly constitutes a new condition, since it is entirely unconnected with those prescribed in Article 4". It was added that such a demand "makes admission dependent, not on the conditions required of applicants, qualifications which are supposed to be fulfilled, but on an extraneous consideration concerning States other than the applicant State"; that the provisions of Article 4 imply that every applicant for admission "should be examined and voted on separately and on its own merits", as "otherwise it would be impossible to determine whether a particular applicant fulfills the necessary conditions"; that to subject an affirmative vote for the admission of an applicant State to the condition that other States be admitted with that State "would prevent Members from exercising their judgment in each case with complete liberty, within the scope of the prescribed conditions"; and that such a demand "is incompatible with the letter and spirit of Article 4 of the Charter".

Judge Alvarez of Chile and Judge Azevedo of Brazil, while concurring in the opinion of the Court, appended a statement of their individual opinion. Of the members of the Court dissenting, Judge Basdevant of France, Winiarski of Poland, McNair of the United Kingdom, and Read of Canada appended a joint opinion, and Judges Zoricic of Yugoslavia and Krylov of the Soviet Union, separate dissenting opinions.

## ADVISORY OPINION REQUESTED ON REPARATIONS FOR INJURIES

The question of reparations for injuries suffered in the service of the United Nations was placed on the agenda of the Third Session of the General Assembly by the Secretary-General. In his report on this question dated October 7, 1948, the Secretary-General gave a history of particular cases and of the action taken by him. He also stated that though he had no doubt that the United Nations possessed the legal capacity to present a claim for reparations under international law against a state, he, nevertheless, felt that, before the necessary action could be taken for presenting such claims, a number of questions of law, policy, and procedure should be determined by the Assembly. He accordingly put forward the following questions for consideration by the Assembly:

(1) Whether, in the view of the Assembly, a state may have a responsibility as against the United Nations for injury to or death of an agent of the United Nations;

(2) What should be the general policy with respect to the reparation or measure of damages which should be claimed;

(3) What should be the procedure for the presentation and settlement of claims?

On December 3, 1948, the General Assembly on the recommendation of its Sixth (Legal) Committee by a resolution decided to submit the following legal questions to the International Court of Justice for an advisory opinion:

“I. In the event of an agent of the United Nations in the performance of his duties suffering injury in circumstances involving the responsibility of a State, has the United Nations, as an Organization, the capacity to bring an international claim against the responsible *de jure* or *de facto* Government with a view to obtaining the reparation due in respect of the damage caused (a) to the United Nations, (b) to the victim or to persons entitled through him?

“II. In the event of an affirmative reply on point I (b), how is action by the United Nations to be reconciled with such rights as may be possessed by the State of which the victim is a national?”

The resolution also instructs the Secretary-General after the Court has given its opinion to prepare proposals in the light of that opinion and to submit them to the Fourth Regular Session of the General Assembly.



*Other Matters*ELECTION OF INTERNATIONAL LAW  
COMMISSION

At its regular session in 1947 the General Assembly, in line with its responsibilities for the encouragement of the progressive development and codification of international law, adopted a resolution creating the International Law Commission. This resolution provided for a commission of 15 individuals of recognized competence in international law and representative of the chief forms of civilization and the basic legal systems of the world.

Under the resolution Members of the United Nations were entitled to nominate four candidates for election to the Commission, of whom not more than two could be nationals of the nominating state. The United States nominated Prof. Manley O. Hudson of Harvard University, together with Alberto Ulloa Sotomayor (Peru), and Jean Spyropoulos (Greece). Including these three, a total of 74 candidates appeared on the ballot submitted by the Secretary-General to the Assembly's Third Regular Session. The elections took place in Paris on November 3, 1948.

Under the terms of the Commission's statute, adopted by the General Assembly at its Second Session in 1947, the 15 candidates obtaining the greatest number of votes and not less than a majority of the number of votes of the members present and voting are elected. Two ballots were necessary to complete the composition of the Commission. The following individuals were elected to serve for a term of three years: Shuhsi Hsu (China), Gilberto Amado (Brazil), Sir Benegal Narsing Rau (India), James L. Brierly (United Kingdom), Georges Scelle (France), Roberto Cordoba (Mexico), Manley O. Hudson (United States), J. P. A. François (Netherlands), Vladimir Mikhailovich Koretsky (U.S.S.R.), Jean Spyropoulos (Greece), Ricardo J. Alfaro (Panama), Jesus María Yepes (Colombia), A. E. F. Sandstrom (Sweden), Faris Bey el-Khoury (Syria), and Jaroslav Zourek (Czechoslovakia).

It is anticipated that the Commission will meet early in 1949 to begin its work. This work is expected to include the preparation of draft conventions in line with its responsibility for the development of international law, and it will also engage in activities relating to the codification of international law. In addition, the General Assembly at its Third Regular Session invited the Commission "to study the desirability and possibility of establishing an international judicial

organ for the trial of persons charged with genocide or other crimes over which jurisdiction will be conferred upon that organ by international conventions."

## REGISTRATION AND PUBLICATION OF TREATIES

Under article 102 of the Charter, every treaty and every international agreement entered into by any Member of the United Nations after the entry into force of the Charter must be registered with the Secretariat and published by it as soon as possible. In a report dated August 17, 1948, the Secretary-General gave the General Assembly an account of the progress made and the technical difficulties met during the year in connection with this matter.

The General Assembly adopted a resolution proposed by the Belgian Delegation which stressed the importance of the publication of treaties with the least possible delay.

The Delegation of the United States proposed a resolution drawing the attention of Member states to their obligation under article 102 of the Charter and requesting them to take immediate steps to fulfil this obligation. This resolution was also approved by the General Assembly.

## PRIVILEGES AND IMMUNITIES

In his report of September 7, 1948, the Secretary-General brought to the attention of the Assembly information concerning the implementation of articles 104 and 105 of the Charter, which deal with the privileges and immunities of the United Nations, and, more particularly, information concerning the developments in this field since the last session of the Assembly.

The report was divided into two parts. The first related to the agreement between the United Nations and the United States regarding the headquarters of the United Nations, while the other dealt with the general convention on the privileges and immunities of the United Nations. In connection with the former, it was stated that in the course of the negotiations between the United States and the United Nations concerning the implementation of the headquarters agreement "the United Nations received from the United States authorities the fullest cooperation." The report also pointed out that the convention had not yet been ratified by certain states.

The General Assembly approved a resolution in which it noted "with satisfaction" the steps taken with a view to implementing the agreement between the United Nations and the United States. The resolu-

tion invited states which had not acceded to the general convention to do so at the earliest possible moment. The Representative of the United States abstained from voting on this resolution on the ground that it raised a matter within the exclusive congressional prerogative of the United States Government.

The General Assembly adopted a resolution approving supplementary agreements between the United Nations and the International Civil Aviation Organization, the United Nations Educational, Scientific and Cultural Organization, and the United Nations Food and Agriculture Organization, respectively, entitling the officials of those organizations to the use of United Nations *laissez-passer*.



PART C

# Appendixes



ADDRESS BY SECRETARY OF STATE GEORGE  
C. MARSHALL BEFORE THE THIRD SESSION  
OF THE GENERAL ASSEMBLY, SEPTEMBER 23,  
1948

We are particularly happy to meet here in Paris. France has, through the centuries, nourished the arts and sciences for the enrichment of all mankind and its citizens have striven persistently for expanding freedom for the individual. It is entirely fitting that this General Assembly, meeting in France which fired the hearts of men with the Declaration of the Rights of Man in 1789, should consider in 1948 the approval of a new Declaration of Human Rights for free men in a free world.

Not only is it appropriate that we should here reaffirm our respect for the human rights and fundamental freedoms but that we should renew our determination to develop and protect those rights and freedoms. Freedom of thought, conscience and religion; freedom of opinion and expression; freedom from arbitrary arrest and detention; the right of a people to choose their own government, to take part in its work, and, if they become dissatisfied with it, to change it; the obligation of government to act through law—these are some of the elements that combine to give dignity and worth to the individual.

The Charter of the United Nations reflects these concepts and expressly provides for the promotion and protection of the rights of man, as well as for the rights of nations. This is no accident. For in the modern world, the association of free men within a free state is based upon the obligation of citizens to respect the rights of their fellow citizens. And the association of free nations in a free world is based upon the obligation of all states to respect the rights of other nations.

Systematic and deliberate denials of basic human rights lie at the root of most of our troubles and threaten the work of the United Nations. It is not only fundamentally wrong that millions of men and women live in daily terror of secret police, subject to seizure,

imprisonment, or forced labor without just cause and without fair trial, but these wrongs have repercussions in the community of nations. Governments which systematically disregard the rights of their own people are not likely to respect the rights of other nations and other people and are likely to seek their objectives by coercion and force in the international field.

The maintenance of these rights and freedoms depends upon adherence to the abiding principles of justice and morality embodied in the rule of law. It will, therefore, always be true that those Members of the United Nations which strive with sincerity of purpose to live by the Charter and to conform to the principles of justice and law proclaimed by that Charter will be those states which are genuinely dedicated to the preservation of the dignity and integrity of the individual.

Let this Third Regular Session of the General Assembly approve by an overwhelming majority the Declaration of Human Rights as a standard of conduct for all; and let us, as Members of the United Nations, conscious of our own shortcomings and imperfections, join our effort in good faith to live up to this high standard.

Our aspirations must take into account men's practical needs—improved living and working conditions, better health, economic and social advancement for all, and the social responsibilities which these entail. The United Nations is pledged in the Charter to promote “higher standards of living, full employment, and conditions of economic and social progress and development.”

The Secretary-General has devoted a considerable part of his annual report to the nature of the progress thus far made in this field. It is evident from the record that we can be encouraged by what is being done. The United Nations is directly engaged in efforts to alleviate the social and economic disorder and destruction resulting from the war. The International Refugee Organization is giving assistance to displaced persons. The International Children's Emergency Fund is providing emergency aid to children and mothers over wide areas. As a part of the United Nations' efforts to increase productivity by applying new and advanced techniques, the Food and Agriculture Organization is broadening the use of improved seeds and fertilizers. The tuberculosis project jointly sponsored by the World Health Organization and the International Children's Emergency Fund represents another example of the constructive work of our organization.

Through the United Nations we are seeking to combine our efforts to promote international trade, to solve the difficulties of foreign exchange, to facilitate the voluntary migration of peoples, and to increase the flow of information and ideas across national boundaries.



The International Trade Organization charter would establish procedures for expanding multilateral trade, with the goal of raising living standards and maintaining full employment. The Conference on Freedom of Information and the Press was responsible for three conventions now before this Assembly which embody principles and procedures for expanding the exchange of information. It is our hope that the Assembly will give these conventions thoughtful and favorable consideration.

While the United Nations and its related agencies are increasingly helpful in the economic and social field, primary responsibility for improving standards of living will continue to rest with the governments and peoples themselves. International organizations cannot take the place of national and personal effort, or of local initiative and individual imagination. International action cannot replace self-help, nor can we move toward general cooperation without maximum mutual help among close neighbors.

The United Nations was not intended to preclude cooperative action among groups of states for common purposes consistent with the Charter of the United Nations. It has been disappointing that efforts at economic recovery consistent with this concept have been actively opposed by some who seem to fear the return of stability and confidence. We must not be misled by those who, in the name of revolutionary slogans, would prevent reconstruction and recovery or hold out illusions of future well-being at the price of starvation and disorder today.

A year ago I expressed the view to the General Assembly that "a supreme effort is required from us all if we are to succeed in breaking through the vicious circles of deepening political and economic crises". I believe that most of us in this organization have sought to make such an effort—and that this is beginning to bring results.

Despite the cooperative action of most nations to rebuild peace and well-being, tension during the past year has increased. The leaders of the other nations are creating a deep rift between their countries and the rest of the world community. We must not allow that rift to widen any further, and we must redouble our efforts to find a common ground. Let us go back to the Charter, to words that were solemnly written by the peoples of the United Nations while the tragedy of war was vividly stamped on their minds.

"We the peoples of the United Nations", says the Charter, are "determined to save succeeding generations from the scourge of war . . . and for these ends to practice tolerance and live together in peace with one another as good neighbors". Three years

later, we are confronted with the need to save not only succeeding generations but our own.

The first purpose of the United Nations is to maintain international peace and security, and to that end all Members are pledged to settle their international disputes by peaceful means and in conformity with the principles of justice and international law.

We are pledged to seek an accommodation by which different cultures, different laws, different social and economic structures, and different political systems can exist side by side without violence, subversion, or intimidation.

An elementary requirement is that international obligations be respected and that relations among states be based on mutual confidence, respect, and tolerance. How can we establish among governments and peoples the confidence which is necessary to a just and stable peace and which is basic to the work of the United Nations? The need at this session of the General Assembly and in subsequent months is to achieve, or at least to move nearer, a settlement of the major issues which now confront us. For its part, the United States is prepared to seek in every possible way, in any appropriate forum, a constructive and peaceful settlement of the political controversies which contribute to the present tension and uncertainty.

I do not wish to deal at this time with the details of any particular issue, but there are broad lines along which a just and equitable settlement of each of these questions might be reached. Some of these matters are on the agenda of the United Nations; others such as those dealing with the peace settlements, are to be dealt with in other forums. Nevertheless, whatever the forum, as Members of the United Nations, we are all subject to the principles of the Charter.

If we want to have peace we must settle the issues arising out of the last war. The Charter was written with the expectation that the solution of the problems before the United Nations would not be made more difficult by long delay in completing the peace settlements.

We should, therefore, make every effort to achieve an early and just peace settlement so that Japan and Germany may exist as democratic and peaceful nations, subject to safeguards against the revival of military or economic means of aggression, and so that they may in due course demonstrate their qualification for admission to membership in the United Nations. In Austria our aim is the restoration of its political and economic freedom within its 1937 frontiers and its immediate admission as a Member of the United Nations.

Other questions affecting world peace are now before the United Nations, some of them before this General Assembly. We believe

that the ends to be sought on these matters may be briefly summarized as follows:

A Palestine free from strife and the threat of strife, with both the Jews and Arabs assured the peaceful development envisaged by the actions of the General Assembly and the Security Council; an early demobilization of armed forces to permit the return to conditions of peace and normal living in Palestine; the repatriation of refugees who wish to return and live in peace with their neighbors; economic aid to Jews and Arabs to restore and strengthen their economic well-being; the admission of Transjordan and Israel to membership in the United Nations.

A unified and independent Korea, accepted as a Member of the United Nations, acting under a constitution and a government selected by the Koreans themselves through free elections, and receiving the economic and political encouragement which it will need as it embarks upon its new life as a Korean nation.

A Greece made secure from aggressive and unlawful interference from without, ordering its political life by the democratic process and by respect for law, enabled to rebuild its economy and to provide its people the essentials of a decent life which they have been without for so long.

A negotiated settlement without further bloodshed in Indonesia, along the broad lines of the Renville agreement, providing within a brief period both the sovereign independence sought by the people of Indonesia and continued cooperation between them and the people of the Netherlands.

Continuation of the mediation and negotiation between the great nations of India and Pakistan with respect to Kashmir, in order that the processes of peaceful settlement may bring to a conclusion an issue which has been charged with great dangers.

The early adoption of an international system for the control of atomic energy, providing for the elimination of atomic weapons from national armaments, for the development of atomic energy for peaceful purposes only, and for safeguards to insure compliance by all nations with the necessary international measures of control.

Under adequate and dependable guaranty against violation, a progressive reduction in armaments as rapidly as the restoration of political confidence permits.

Other situations or problems might be mentioned, but if constructive steps are taken toward the settlement of those which have been indicated, new hope would arise among men and new confidence among

the nations of the world. It will be readily seen that the above pattern is toward peace. No governments or peoples who work toward such ends can be held to be seeking war, or imperialist expansion, or disorder and strife.

We have noted with particular interest the report of the Secretary-General on the work of the United Nations relating to the millions of people who are not yet fully self-governing. We are mindful of the obligations undertaken in the Charter for the political, economic, and social development of these peoples. We believe that all possible assistance and encouragement should be given to them, to the end that they may play their full part in the family of nations either as independent states or in freely chosen association with other states.

In our efforts toward political settlement we must continue to improve the functioning of the machinery of the United Nations. We hope that the Security Council will proceed to recommend during this session of the General Assembly the admission of additional new members. There are a number of fully qualified states, now awaiting admission, whose election has been supported by the United States but has been blocked for reasons not consistent with the Charter. The most recent applicant, Ceylon, one of the new states to emerge in southern Asia, has been denied the membership to which it properly aspires.

The report of the Interim Committee on the problem of voting in the Security Council represents the first comprehensive study of this vital problem since San Francisco and contains the views of an overwhelming majority of the members. The work of the Security Council would be greatly facilitated if the recommendations of the Interim Committee could be accepted by the members of the Council.

The Interim Committee itself has worked usefully and effectively during the past year and can continue to render an important service to the General Assembly. We hope that the General Assembly will agree to its continuation for another year in order to give us more experience before deciding whether it should become a permanent part of our organization.

The United States joins in expressing great appreciation to those individuals who have served on United Nations missions during the past year, either as members of national delegations or of the Secretariat. These representatives in the field have served with courage and devotion to duty. Their service has been rendered under conditions of great hardship and personal danger. We have been given a particularly solemn reminder of these conditions by the tragic death of Count Folke Bernadotte and Colonel Serot at the hands of assassins. The people of the United States join in tribute to the man who worked

brilliantly and courageously as the United Nations Mediator in Palestine. We pay tribute also to those who have lost their lives in the service of peace.

We believe that the General Assembly should give sympathetic consideration to the suggestions of the Secretary-General for the establishment of a small United Nations guard force to assist United Nations missions engaged in the pacific settlement of disputes. The fate of the Mediator in Palestine and the experience of the several commissions already working in the field have already demonstrated the need for such a group. This great world organization should not send its servants on missions of peace without reasonable protection. The guards would be entirely distinct from the armed forces envisaged under article 43 and would not carry out military operations. They could, however, perform important services in connection with United Nations missions abroad not only as guards but as observers and as communications and transportation personnel.

## SELECTED RESOLUTIONS OF THE GENERAL ASSEMBLY

### A. Resolutions Adopted at the First Part of the Third Regular Session

#### *1. Appeal to the Great Powers To Renew Their Efforts To Compose Their Differences and Establish a Lasting Peace*

[After noting in its preamble the purposes and aims of the United Nations, observing that these aims cannot be attained so long as World War II remains in process of liquidation and so long as the peace treaties have not been concluded, and directing attention to the concern of the peoples of the world at the existing disagreements among the Great Allied Powers, the resolution recalls and endorses the Yalta declaration and recommends that the Powers signatory to the Moscow agreements of December 24, 1945, redouble their efforts for a speedy conclusion of all the peace settlements, associating with them the states which adhered to the Washington declaration of January 1, 1942.

This resolution was unanimously adopted on November 3.]

1. WHEREAS it is the essential purpose of the United Nations to maintain international peace and security and to that end it must coordinate its efforts to bring about by peaceful means the settlement of international disputes or situations which might lead to a breach of the peace,

2. WHEREAS the United Nations should be a centre for harmonizing the actions of nations in the attainment of this common end,

3. WHEREAS the United Nations cannot fully attain its aims so long as the recent war remains in process of liquidation and so long as all the peace treaties have not been concluded and put into force,

4. WHEREAS the Great Allied Powers, which bore the heaviest burden in the war and whose common sacrifice and effort were the prime cause of victory, have reaffirmed, on many solemn occasions, their determination to maintain and strengthen in the peace that unity of

purpose and of action which has made possible the victory of the United Nations,

5. WHEREAS the aforementioned Allied Powers, which undertook at the second Moscow Conference responsibility for drafting and concluding the peace treaties, have not been able, after three years of effort, to obtain the full realization of their high mission by building a just and lasting peace,

6. WHEREAS the disagreement between the said Powers in a matter of vital importance to all the United Nations is at the present time the cause of the deepest anxiety among all the peoples of the world, and

7. WHEREAS the United Nations, in the performance of its most sacred mission, is bound to afford its assistance and co-operation in the settlement of a situation the continuation of which involves grave dangers for international peace,

The General Assembly

1. *Recalls* the declarations made at Yalta on 11 February 1945 by Churchill, Roosevelt and Stalin, in which the signatories

“reaffirm our faith in the principles of the Atlantic Charter, our pledge in the Declaration by the United Nations, and our determination to build in co-operation with other peace-loving nations a world order under law, dedicated to peace, security, freedom and the general well-being of all mankind”,

and proclaim that

“only with continuing and growing co-operation and understanding among our three countries, and among all the peace-loving nations, can the highest aspiration of humanity be realized—a secure and lasting peace which will, in the words of the Atlantic Charter ‘afford assurance that all the men in all the lands may live out their lives in freedom from fear and want’”;

2. *Endorses* these declarations and expresses its convictions that the Great Allied Powers will, in their policies, conform to the spirit of the said declarations;

3. *Recommends* the Powers signatories to the Moscow Agreements of 24 December 1945, and the Powers which subsequently acceded thereto, to redouble their efforts, in a spirit of solidarity and mutual understanding, to secure in the briefest possible time the final settlement of the war and the conclusion of all the peace settlements;

4. *Recommends* the aforementioned Powers to associate with them, in the performance of such a noble task, the States which subscribed and adhered to the Washington Declaration of 1 January 1942.

## 2. *Control of Atomic Energy*

{This resolution takes into account the work of the Atomic Energy Commission, as set forth in its first, second, and third reports, and approves certain recommendations of the Commission as constituting the necessary basis for an effective system for international control of atomic energy. The Assembly expresses concern at the impasse in the work of the Commission and requests its six permanent members (China, France, United Kingdom, United States, U.S.S.R., and Canada) to meet for consultation to determine whether there exists a basis for agreement on the international control of atomic energy and to report on the results of their consultations to the General Assembly at its next regular session. Finally, the Atomic Energy Commission is requested to resume its sessions and to proceed to the study of such of the subjects on its work program as it considers practicable and useful.

This resolution was adopted by a vote of 40 to 6, with 4 abstentions, on November 4.]

The General Assembly,

HAVING EXAMINED the first, second and third reports of the Atomic Energy Commission which have been transmitted to it by the Security Council in accordance with the terms of General Assembly resolution 1 (I) of 24 January 1946,

1. *Approves* the General Findings (part II C) and Recommendations (part III) of the first report and the Specific Proposals of part II of the second report of the Commission as constituting the necessary basis for establishing an effective system of international control of atomic energy to ensure its use only for peaceful purposes and for the elimination from national armaments of atomic weapons in accordance with the terms of reference of the Atomic Energy Commission;

2. *Expresses* its deep concern at the impasse which has been reached in the work of the Atomic Energy Commission as shown in its third report and regrets that unanimous agreement has not yet been reached;

3. *Requests* the six sponsors of the General Assembly resolution of 24 January 1946, which are the permanent members of the Atomic Energy Commission, to meet together and consult in order to determine if there exists a basis for agreement on the international control of atomic energy to ensure its use only for peaceful purposes and for the elimination from national armaments of atomic weapons, and to report to the General Assembly the results of their consultation not later than its next regular session;

4. Meanwhile,

The General Assembly,



*Calls upon* the Atomic Energy Commission to resume its sessions, to survey its programme of work, and to proceed to the further study of such of the subjects remaining in the programme of work as it considers to be practicable and useful.

3. *Prohibition of the Atomic Weapon and Reduction by One Third of the Armaments and Armed Forces of the Permanent Members of the Security Council*

[This resolution, which grew out of a Soviet proposal for prohibition of the atomic weapon and reduction by one third of the armaments and armed forces of the permanent members of the Security Council, notes the desirability of making possible a general reduction of armaments but considers such a reduction impossible so long as each state lacks authenticated information concerning the armaments of other states and except in an atmosphere of improvement in international relations, including an effective system for the control of atomic energy. It accordingly recommends that the Security Council pursue its study of the regulation and reduction of conventional armaments through the Commission on Conventional Armaments and requests the Commission to devote first attention to formulating proposals for the receipt, checking, and verification by an international organ within the framework of the Security Council of full information on armed forces and conventional armaments to be supplied by members. The Security Council is invited to report on its action under the resolution to the next regular session of the General Assembly.]

This resolution was adopted by a vote of 43 to 6, with 1 abstention, on November 19.]

The General Assembly,

DESIRING to establish relations of confident collaboration between the States within the framework of the Charter and to make possible a general reduction of armaments in order that humanity may in future be spared the horrors of war and that the peoples may not be overwhelmed by the continually increasing burden of military expenditure,

CONSIDERING that no agreement is attainable on any proposal for the reduction of conventional armaments and armed forces so long as each State lacks exact and authenticated information concerning the conventional armaments and armed forces of other States, so long as no convention has been concluded regarding the types of military forces to

which such reduction would apply, and so long as no organ of control has been established,

CONSIDERING that the aim of the reduction of conventional armaments and armed forces can only be attained in an atmosphere of real and lasting improvement in international relations, which implies in particular the application of control of atomic energy involving the prohibition of the atomic weapon,

BUT NOTING on the other hand that this renewal of confidence would be greatly encouraged if States were placed in possession of precise and verified data as to the level of their respective conventional armaments and armed forces,

*Recommends* the Security Council to pursue the study of the regulation and reduction of conventional armaments and armed forces through the agency of the Commission for Conventional Armaments in order to obtain concrete results as soon as possible;

*Trusts* that the Commission for Conventional Armaments, in carrying out its plan of work, will devote its first attention to formulating proposals for the receipt, checking and publication, by an international organ of control within the framework of the Security Council, of full information to be supplied by Member States with regard to their effectives and their conventional armaments;

*Invites* the Security Council to report to it no later than its next regular session on the effect given to the present recommendation with a view to enabling it to continue its activity with regard to the regulation of armaments in accordance with the purposes and principles defined by the Charter;

*Invites* all nations in the Commission for Conventional Armaments to co-operate to the utmost of their power in the attainment of the above-mentioned objectives.

#### *4. The Problem of the Independence of Korea*

{After referring to the previous action of the General Assembly on Korea, the report of the United Nations Temporary Commission on Korea, and the report of the Interim Committee regarding its consultations with the Temporary Commission, this resolution approves the conclusions of the reports of the Temporary Commission; declares that a lawful government has been established in Korea as a result of the elections observed by the Commission and that this is the only such government in Korea; recommends withdrawal of occupation forces from Korea as early as practicable; establishes a Commission on Korea, with head-

quarters in Korea, to continue the work of the Temporary Commission, carry out the provisions of this resolution, and in particular lend its good offices to bring about the unification of all Korea and the integration of all Korean security forces; and calls upon the Members and Koreans to afford assistance to the Commission, to refrain from any acts derogatory to bringing about the complete independence and integrity of Korea, and to take into consideration, in establishing their relations with the Government of Korea, the fact that the Government of the Republic of Korea is the lawful government.

This resolution was adopted by a vote of 48 to 6, with one abstention, on December 12.]

The General Assembly,

HAVING REGARD to its resolution 112 (II) of 14 November 1947 concerning the problem of the independence of Korea,

HAVING CONSIDERED the report of the United Nations Temporary Commission on Korea (hereinafter referred to as the "Temporary Commission"), and the report of the Interim Committee of the General Assembly regarding its consultation with the Temporary Commission,

MINDFUL of the fact that, due to difficulties referred to in the report of the Temporary Commission, the objectives set forth in the resolution of 14 November 1947 have not been fully accomplished, and in particular that unification of Korea has not yet been achieved,

1. *Approves* the conclusions of the reports of the Temporary Commission;

2. *Declares* that there has been established a lawful government (the Government of the Republic of Korea) having effective control and jurisdiction over that part of Korea where the Temporary Commission was able to observe and consult and in which the great majority of the people of all Korea reside; that this Government is based on elections which were a valid expression of the free will of the electorate of that part of Korea and which were observed by the Temporary Commission; and that this is the only such Government in Korea;

3. *Recommends* that the occupying Powers should withdraw their occupation forces from Korea as early as practicable;

4. *Resolves* that, as a means to the full accomplishment of the objectives set forth in the resolution of 14 November 1947, a Commission on Korea, consisting of the following States: Australia, China, El Salvador, France, India, the Philippines, Syria, should be established to continue the work of the Temporary Commission and carry out the provisions of the present resolution, having in mind the status of the

Government of the Republic of Korea as herein defined, and in particular to:

(a) Lend its good offices to bring about the unification of Korea and the integration of all Korean security forces in accordance with the principles laid down by the General Assembly in the resolution of 14 November 1947;

(b) Seek to facilitate the removal of barriers to economic, social and other friendly intercourse caused by the division of Korea;

(c) Be available for observation and consultation in the further development of representative government based on the freely expressed will of the people;

(d) Observe the actual withdrawal of the occupying forces and verify the fact of withdrawal when such has occurred: and for this purpose, if it so desires, request the assistance of military experts of the two occupying Powers;

5. *Decides* that the Commission:

(a) Shall within thirty days of the adoption of the present resolution, proceed to Korea, where it shall maintain its seat;

(b) Shall be regarded as having superseded the Temporary Commission established by the resolution of 14 November 1947;

(c) Is authorized to travel, consult and observe throughout Korea;

(d) Shall determine its own procedures;

(e) May consult with the Interim Committee with respect to the discharge of its duties in the light of developments, and within the terms of the present resolution;

(f) Shall render a report to the next regular session of the General Assembly and to any prior special session which might be called to consider the subject matter of the present resolution, and shall render such interim reports as it may deem appropriate to the Secretary-General for distribution to Members;

6. *Requests* that the Secretary-General should provide the Commission with adequate staff and facilities, including technical advisers as required; and authorizes the Secretary-General to pay the expenses and per diem of a representative and an alternate from each of the States members of the Commission;

7. *Calls upon* the Member States concerned, the Government of the Republic of Korea, and all Koreans to afford every assistance and facility to the Commission in the fulfilment of its responsibilities;

8. *Calls upon* Member States to refrain from any acts derogatory to the results achieved and to be achieved by the United Nations in bringing about the complete independence and unity of Korea;

9. *Recommends* that Member States and other nations, in establishing their relations with the Government of the Republic of Korea, take into consideration the facts set out in paragraph 2 of the present resolution.

5. *Threats to the Political Independence and Territorial Integrity of Greece: Reports of the United Nations Special Committee on the Balkans*

{Three resolutions relating to the Greek situation were adopted. The first, after noting the conclusions of the Special Committee on the Balkans to the effect that the Greek guerrillas had continued to receive assistance from Albania, Bulgaria, and Yugoslavia and that this situation constitutes a threat to the political independence and territorial integrity of Greece and to peace in the Balkans, calls upon Albania, Bulgaria, and Yugoslavia to cease any assistance to the guerrillas and to cooperate with Greece and the Special Committee toward the peaceful settlement of the dispute. It further recommends that all Members of the United Nations refrain from any action assisting armed groups fighting against the Greek Government. Finally, it approves the reports of the Special Committee and continues it in existence with its previous functions and those added by the present resolution; the Special Committee is authorized to consult in its discretion with the Interim Committee with respect to the performance of its functions in the light of developments. This resolution was adopted, by a vote of 47 to 6, on November 27.

A second resolution also adopted November 27, by a vote of 53 to 0, recommends the re-establishment of diplomatic relations between Greece and Bulgaria and Albania and the renewal of former, or the conclusion of new, frontier conventions by Greece, Albania, Bulgaria, and Yugoslavia; at the end of six months, the four Governments are to inform the Secretary-General of the fulfilment of the two recommendations.

The third resolution recommends the return to Greece of Greek children away from their homes and provides for implementation of this recommendation by the national Red Cross organizations in consultation with their International Committee. It was adopted unanimously on November 27.]

I

The General Assembly

1. HAVING CONSIDERED the reports of the Special Committee established by General Assembly resolution 109 (II) ;
2. HAVING NOTED the conclusions of the Special Committee and, in particular, its unanimous conclusion that, despite the aforesaid reso-

lution of the General Assembly, "the Greek guerrillas have continued to receive aid and assistance on a large scale from Albania, Bulgaria and Yugoslavia, with the knowledge of the Governments of those countries" and that the Greek guerrillas in the frontier zones have, as found by the Special Committee;

(1) "Been largely dependent on external supply. Great quantities of arms, ammunition and other military stores have come across the border, notably during times of heavy fighting. Strongly held positions of the guerrillas have protected their vital supply lines from Bulgaria, Yugoslavia and, in particular, from Albania. In recent months, there has been less evidence of receipt of supplies from Yugoslavia by the guerrillas.

(2) "Frequently moved at will in territory across the frontier for tactical reasons, and have thus been able to concentrate their forces without interference by the Greek Army, and to return to Greece when they wished.

(3) "Frequently retired safely into the territory of Albania, Bulgaria and Yugoslavia when the Greek Army exerted great pressure."

3. HAVING NOTED further the conclusions of the Special Committee that a continuation of this situation "constitutes a threat to the political independence and territorial integrity of Greece and to peace in the Balkans" and "that the conduct of Albania, Bulgaria and Yugoslavia has been inconsistent with the purposes and principles of the Charter of the United Nations";

4. HAVING NOTED the recommendations submitted by the Special Committee;

5. *Considers* that the continued aid given by Albania, Bulgaria and Yugoslavia to the Greek guerrillas endangers peace in the Balkans, and is inconsistent with the purposes and principles of the Charter of the United Nations;

6. *Calls upon* Albania, Bulgaria and Yugoslavia to cease forthwith rendering any assistance or support in any form to the guerrillas in fighting against the Greek Government, including the use of their territories as a base for the preparation or launching of armed action;

7. *Again calls upon* Albania, Bulgaria and Yugoslavia to co-operate with Greece in the settlement of their dispute by peaceful means in accordance with the recommendations contained in resolution 109 (II);

8. *Calls upon* Albania, Bulgaria and Yugoslavia to co-operate with the Special Committee in enabling it to carry out its functions, in particular the functions of being available to assist the Governments concerned in accordance with paragraph 10 (c) of this resolution, and upon Greece to continue to co-operate toward the same end;

9. *Recommends* to all Members of the United Nations and to all other States that their Governments refrain from any action designed to assist directly or through any other Government any armed group fighting against the Greek Government;

10. *Approves* the reports of the Special Committee, continues it in being with the functions conferred upon it by resolution 109 (II) and instructs it;

(a) To continue to observe and report on the response of Albania, Bulgaria and Yugoslavia to the General Assembly injunction not to furnish aid to the Greek guerrillas in accordance with the General Assembly resolution 109 (II) and the present resolution;

(b) To continue to utilize observation groups with personnel and equipment adequate for the fulfilment of its task;

(c) To continue to be available to assist the Governments of Albania, Bulgaria, Greece and Yugoslavia in the implementation of resolution 109 (II) and of the present resolution; and for this purpose in its discretion to appoint, and utilize the services and good offices of, one or more persons whether or not members of the Special Committee;

11. *Decides* that the Special Committee shall have its principal headquarters in Greece, and with the co-operation of the Government or Governments concerned, shall perform its functions in such places as it may deem appropriate for the fulfilment of its mission;

12. *Authorizes* the Special Committee to consult, in its discretion, with the Interim Committee (if it is continued) with respect to the performance of its functions in the light of developments;

13. *Requests* the Secretary-General to provide the Special Committee with adequate staff and facilities to enable it to perform its functions.

## II

### The General Assembly

*Recommends* that Greece, on the one hand, and Bulgaria and Albania, on the other, establish diplomatic relations with each other, the absence of which is harmful to the relations between these countries;

*Recommends* the Governments of Greece, Albania, Bulgaria and Yugoslavia to renew the previously operative conventions for the settlement of frontier questions or to conclude new ones, and also to settle the question of refugees in the spirit of mutual understanding and the establishment of good neighbor relations;

*Furthermore recommends* the Governments of Greece, Albania, Bulgaria and Yugoslavia to inform the Secretary-General of the United

Nations at the end of six months, for communication to Member States of the United Nations, of the fulfilment of the above-mentioned recommendations.

### III

#### The General Assembly

*Recommends* the return to Greece of Greek children at present away from their homes when the children, their father or mother or, in his or her absence, their closest relative, express a wish to that effect;

*Invites* all the Members of the United Nations and other States on whose territory these children are to be found to take the necessary measures for implementation of the present recommendation;

*Instructs* the Secretary-General to request the International Committee of the Red Cross and the League of Red Cross and Red Crescent Societies to organize and ensure liaison with the national Red Cross organizations of the States concerned with a view to empowering the national Red Cross organizations to adopt measures in the respective countries for implementing the present recommendation.

#### 6. *Advisability of Establishing a Permanent Committee of the General Assembly*

[After affirming the necessity of continuing the Interim Committee to insure the effective performance of the duties of the General Assembly in relation to matters concerning the maintenance of international peace and security, the promotion of international cooperation in the political field, and the peaceful adjustment of any situation likely to impair friendly relations among nations, this resolution re-establishes the Interim Committee experimentally for another year. The duties of the Interim Committee are to include, among others, such matters as are referred to it by the General Assembly; any disputes or situations determined to be both important and requiring preliminary study; further study of the general principles of international cooperation in the maintenance of international peace and security; and the question of convening special sessions of the General Assembly. It is to report on its experience to the next regular Assembly session. Finally, it is given authority to request advisory opinions of the International Court of Justice on legal questions arising within the scope of its responsibilities.

This resolution was adopted December 3 by a vote of 40 to 6, with one abstention.]



The General Assembly,

HAVING TAKEN NOTE of the report submitted to it by the Interim Committee on the advisability of establishing a permanent committee of the General Assembly,

AFFIRMING that, for the effective performance of the duties specifically conferred upon the General Assembly by the Charter in relation to matters concerning the maintenance of international peace and security (Articles 11 and 35), the promotion of international co-operation in the political field (Article 13), and the peaceful adjustment of any situation likely to impair the general welfare or friendly relations among nations (Article 14), it is necessary to continue the Interim Committee for the purpose of considering such matters further and reporting with its conclusions to the General Assembly,

RECOGNIZING fully the primary responsibility of the Security Council for prompt and effective action for the maintenance of international peace and security (Article 24),

*Resolves that*

1. There shall be re-established for the period between the closing of the present session and the opening of the next regular session of the General Assembly an Interim Committee on which each Member of the General Assembly shall have the right to appoint one representative;

2. The Interim Committee, as a subsidiary organ of the General Assembly established in accordance with Article 22 of the Charter, shall assist the General Assembly in the performance of its functions by discharging the following duties:

(a) To consider and report with its conclusions to the General Assembly on such matters as may be referred to it by or under the authority of the General Assembly;

(b) To consider and report, with its conclusions, to the General Assembly on any dispute or any situation which, in virtue of Articles 11, (paragraph 2), 14 or 35 of the Charter, has been proposed for inclusion in the agenda of the General Assembly by any Member of the United Nations, or by any non-member State under Articles 11 (paragraph 2) or 35, or brought before the General Assembly by the Security Council, provided the Committee previously determines the matter to be both important and requiring preliminary study. Such determination shall be made by a majority of two-thirds of the members present and voting, unless the matter is one referred to the General Assembly by the Security Council, in which case a simple majority will suffice;

(c) To consider systematically, using as a starting point the recommendations and studies of the Interim Committee contained in docu-

ment A/605, the further implementation of that part of Article 11 (paragraph 1) relating to the general principles of co-operation in the maintenance of international peace and security, and of that part of Article 13 (paragraph 1a) which deals with the promotion of international co-operation in the political field, and to report with its conclusions to the General Assembly;

(d) To consider, in connexion with any matter under discussion by the Interim Committee, whether occasion may require the summoning of a special session of the General Assembly and, if it deems that such a session is required, so to advise the Secretary-General in order that he may obtain the views of the Members of the United Nations thereon;

(e) To conduct investigations and appoint commissions of inquiry within the scope of its duties, as it may deem useful and necessary, provided that decisions to conduct such investigations or inquiries shall be made by a two-thirds majority of the members present and voting. An investigation or inquiry elsewhere than at the headquarters of the United Nations shall not be conducted without the consent of the State or States in whose territory it is to take place;

(f) To report to the next regular session of the General Assembly on any changes in its constitution, its duration or its terms of reference which may be considered desirable in the light of experience;

3. The Interim Committee is hereby authorized to request advisory opinions of the International Court of Justice on legal questions arising within the scope of its activities;

4. In discharging its duties, the Interim Committee shall at all times take into account the responsibilities of the Security Council under the Charter for the maintenance of international peace and security as well as the duties assigned by the Charter or by the General Assembly or by the Security Council to other Councils or to any committee or commission. The Interim Committee shall not consider any matter of which the Security Council is seized and which the latter has not submitted to the General Assembly;

5. The rules of procedure governing the proceedings of the Interim Committee and such sub-committees and commissions as it may set up shall be those adopted by the Interim Committee on 9 January 1948 with such changes and additions as the Interim Committee may deem necessary, provided that they are not inconsistent with any provision of this resolution or with any applicable rule of procedure of the General Assembly. The Interim Committee shall be convened by the Secretary-General, in consultation with the Chairman elected during the previous session or the head of his delegation, to meet at the headquarters of the United Nations not later than 31 January 1949. At

the opening meeting, the Chairman elected during the previous session of the Interim Committee, or the head of his delegation, shall preside until the Interim Committee has elected a Chairman. The Interim Committee shall meet as and when it deems necessary for the conduct of its business. No new credentials shall be required for representatives who were duly accredited on the Interim Committee during its previous session;

6. The Secretary-General shall provide the necessary facilities and assign appropriate staff as required for the work of the Interim Committee, its sub-committees and commissions.

## 7 *Palestine*

[This resolution results from further consideration by the General Assembly of the situation in Palestine on the basis of the progress report of the United Nations Mediator. After expressing its appreciation of the progress achieved through the good offices of the late Mediator and to the Acting Mediator, the Assembly establishes a Conciliation Commission of three members to assume as necessary the functions of the Mediator, to carry out additional functions provided in the resolution or given it by the Assembly or Security Council, and to take steps to assist the Governments and authorities concerned to achieve a final settlement of all questions outstanding between them. General provisions cover the Holy Places and Jerusalem, on which the Conciliation Commission is requested to present detailed proposals for a permanent international regime to the fourth regular Assembly session. Other provisions cover access to Jerusalem, the economic development of the area, Palestine refugees, and necessary administrative arrangements for the work of the Conciliation Commission.]

This resolution was adopted by a vote of 35 to 15, with 8 abstentions, on December 11. On the same day the nomination by the five major powers of France, Turkey, and the United States as members of the Conciliation Commission was approved 40 to 7, with 4 abstentions.]

The General Assembly,

HAVING CONSIDERED FURTHER the situation in Palestine,

1. *Expresses* its deep appreciation of the progress achieved through the good offices of the late United Nations Mediator in promoting a peaceful adjustment of the future situation of Palestine, for which cause he sacrificed his life; and

*Extends* its thanks to the Acting Mediator and his staff for their continued efforts and devotion to duty in Palestine;

2. *Establishes* a Conciliation Commission consisting of three States Members of the United Nations which shall have the following functions:

(a) To assume, insofar as it considers necessary in existing circumstances, the functions given to the United Nations Mediator on Palestine by the resolution of the General Assembly of 14 May 1948;

(b) To carry out the specific functions and directives given to it by the present resolution and such additional functions and directives as may be given to it by the General Assembly or by the Security Council;

(c) To undertake, upon the request of the Security Council, any of the functions now assigned to the United Nations Mediator on Palestine or to the United Nations Truce Commission by resolutions of the Security Council; upon such request to the Conciliation Commission by the Security Council with respect to all the remaining functions of the United Nations Mediator on Palestine under Security Council resolutions, the office of the Mediator shall be terminated;

3. *Decides* that a Committee of the Assembly, consisting of China, France, the Union of Soviet Socialist Republics, the United Kingdom and the United States of America, shall present, before the end of the first part of the present session of the General Assembly, for the approval of the Assembly, a proposal concerning the names of the three States which will constitute the Conciliation Commission;

4. *Requests* the Commission to begin its functions at once, with a view to the establishment of contact between the parties themselves and the Commission at the earliest possible date;

5. *Calls upon* the Governments and authorities concerned to extend the scope of the negotiations provided for in the Security Council's resolution of 16 November 1948 and to seek agreement by negotiations conducted either with the Conciliation Commission or directly with a view to the final settlement of all questions outstanding between them;

6. *Instructs* the Conciliation Commission to take steps to assist the Governments and authorities concerned to achieve a final settlement of all questions outstanding between them;

7. *Resolves* that the Holy Places—including Nazareth—religious buildings and sites in Palestine should be protected and free access to them assured, in accordance with existing rights and historical practice; that arrangements to this end should be under effective United Nations supervision; that the United Nations Conciliation Commission, in presenting to the fourth regular session of the General Assembly its detailed proposal for a permanent international regime for the territory of Jerusalem, should include recommendations con-

cerning the Holy Places in that territory; that with regard to the Holy Places in the rest of Palestine the Commission should call upon the political authorities of the areas concerned to give appropriate formal guarantees as to the protection of the Holy Places and access to them; and that these undertakings should be presented to the General Assembly for approval;

8. *Resolves* that, in view of its association with three world religions, the Jerusalem area, including the present municipality of Jerusalem plus the surrounding villages and towns, the most Eastern of which shall be Avu Dis; the most Southern, Bethlehem; the most Western, Ein Karim (including also the built-up area of Motsa); and the most Northern, Shufat, should be accorded special and separate treatment from the rest of Palestine and should be placed under effective United Nations control;

*Requests* the Security Council to take further steps to ensure the demilitarization of Jerusalem at the earliest possible date;

*Instructs* the Conciliation Commission to present to the fourth regular session of the General Assembly detailed proposals for a permanent international regime for the Jerusalem area which will provide for the maximum local autonomy for distinctive groups consistent with the special international status of the Jerusalem area;

The Conciliation Commission is authorized to appoint a United Nations representative who shall co-operate with the local authorities with respect to the interim administration of the Jerusalem area;

9. *Resolves* that, pending agreement on more detailed arrangements among the Governments and authorities concerned, the freest possible access to Jerusalem by road, rail or air should be accorded to all inhabitants of Palestine;

*Instructs* the Conciliation Commission to report immediately to the Security Council, for appropriate action by that organ, any attempt by any party to impede such access;

10. *Instructs* the Conciliation Commission to seek arrangements among the Governments and authorities concerned which will facilitate the economic development of the area, including arrangements for access to ports and airfields and the use of transportation and communication facilities;

11. *Resolves* that the refugees wishing to return to their homes and live at peace with their neighbours should be permitted to do so at the earliest practicable date, and that compensation should be paid for the property of those choosing not to return and for loss of or damage to property which, under principles of international law or in equity, should be made good by the Governments or authorities responsible;

*Instructs* the Conciliation Commission to facilitate the repatriation, resettlement and economic and social rehabilitation of the refugees and the payment of compensation, and to maintain close relations with the Director of the United Nations Relief for Palestine Refugees and, through him, with the appropriate organs and agencies of the United Nations;

12. *Authorizes* the Conciliation Commission to appoint such subsidiary bodies and to employ such technical experts, acting under its authority, as it may find necessary for the effective discharge of its functions and responsibilities under the present resolution;

The Conciliation Commission will have its official headquarters at Jerusalem. The authorities responsible for maintaining order in Jerusalem will be responsible for taking all measures necessary to ensure the security of the Commission. The Secretary-General will provide a limited number of guards for the protection of the staff and premises of the Commission;

13. *Instructs* the Conciliation Commission to render progress reports periodically to the Secretary-General for transmission to the Security Council and to the Members of the United Nations;

14. *Calls upon* all Governments and authorities concerned to cooperate with the Conciliation Commission and to take all possible steps to assist in the implementation of the present resolution;

15. *Requests* the Secretary-General to provide the necessary staff and facilities and to make appropriate arrangements to provide the necessary funds required in carrying out the terms of the present resolution.

## 8. *The Problem of Wasting Food in Certain Countries*

[This resolution, after referring to past action by the Assembly, the Economic and Social Council, and the specialized agencies, particularly the FAO, to meet the continuing world food crisis, invites Member States to accord high priority to measures designed to avoid food losses arising from wastage and to increase food production and improve marketing and distribution facilities so as to raise to a maximum the effective quantity of food available for consumption and export. The Economic and Social Council is requested to continue to give consideration to the problems of increasing the world's food supply and of the international trade in food products; to give special consideration to the technical, financial, and other problems involved in providing production facilities enabling underdeveloped and war-devastated countries to contribute to the world's food supply; and to examine other measures with a view to

raising the levels of nutrition and mitigating the effects of the world food crisis.

This resolution was adopted on December 8 by a vote of 35 to 1, with 2 abstentions.]

The General Assembly,

1. BEARING IN MIND the resolutions of the General Assembly and of the Economic and Social Council and the reports of the specialized agencies, particularly of the Food and Agriculture Organization on the question of shortages of foodstuffs,

2. Approves the action taken by the Economic and Social Council at its 6th and 7th sessions on the initiative of the Food and Agriculture Organization regarding co-ordinated action to meet the continuing world food crisis; and

3. CONSIDERING that

(a) The present under-nourishment of large numbers of people throughout the world is caused *inter alia* by insufficient production of food, by loss of foodstuffs through wastage, by the results of war devastation, by the under-developed character of large areas of the world and by lack of purchasing power, while fear of unstable prices remains an obstacle to the necessary increase of production;

(b) In connection with this, measures should be taken in the first place and especially in under-developed countries and in countries devastated by war to raise the productivity of farms, to avoid losses arising from wastage and to improve the production, marketing and distribution facilities;

(c) The equitable distribution of essential foodstuffs requires *inter alia* that such burdensome fiscal charges as hamper the sale and consumption of such foodstuffs be appreciably reduced;

(d) Wherever profiteering by distributors or speculators is involved in the marketing of essential foodstuffs, such profiteering constitutes an obstacle to the equitable distribution of such foodstuffs;

4. Invites Member States to accord high priority to measures designed to avoid food losses arising from wastage and to increase food production and improve marketing and distribution facilities so as to raise to a maximum the effective quantity of food available for consumption and export, and, in connection with the raising of consumption levels, to consider the extent to which existing taxes and other dues on the consumption of essential foodstuffs serve to keep down food consumption, and to take suitable action with a view to the elimination of profiteering in respect of such foodstuffs;

5. Calls upon the Economic and Social Council, in consultation with the Food and Agriculture Organization and the other specialized

agencies concerned, to continue to give consideration to the problems of increasing the world's supply of food and of the international trade in food products; and

(a) To give special consideration to the technical, financial, supply and other problems involved in providing the production facilities which may be necessary to enable under-developed and war-devastated countries to contribute effectively to the required increase in the world's supply of food; and

(b) To examine any other measures, including measures designed to improve storage, marketing and distribution facilities for basic foodstuffs and measures in regard to the possibility of reducing burdensome taxes and to give consideration to measures ensuring stability of prices, with a view to raising the levels of nutrition of under-nourished population groups to health standards and to mitigate the effects of the world food crisis.

### *9. Assistance to Palestine Refugees*

[In this resolution the General Assembly took action on that part of the report of the United Nations Mediator on Palestine dealing with relief for Palestine refugees. It decided upon the amount of the necessary relief budget for the care of these refugees and requested Members to make voluntary contributions in kind or in funds to this budget. The Secretary-General was requested to make the necessary administrative arrangements, including the appointment of a Director of United Nations Relief for Palestinian Refugees. In addition, the appropriate specialized agencies were requested to assist in the relief program according to their responsibilities.

This resolution was adopted without objection on November 19, with one abstention.]

WHEREAS the problem of the relief of Palestine refugees of all communities is one of immediate urgency and the United Nations Mediator on Palestine in his Progress report of 18 September 1948, Part Three, states that "action must be taken to determine the necessary measures (of relief) and to provide for their implementation" and that "the choice is between saving the lives of many thousands of people now or permitting them to die";

WHEREAS the Acting Mediator in his Supplemental Report of 18 October 1948, declares that "the situation of the refugees is now critical" and that "aid must not only be continued but very greatly increased if disaster is to be averted";



WHEREAS the alleviation of conditions of starvation and distress among the Palestine refugees is one of the minimum conditions for the success of the efforts of the United Nations to bring peace to that land,

The General Assembly,

1. *Expresses* its thanks to the Governments and organizations which, and the individual persons who, have given assistance directly or in response to the Mediator's appeal;

2. *Considers*, on the basis of the Acting Mediator's recommendation, that a sum of approximately \$29,500,000 will be required to provide relief for 500,000 refugees for a period of nine months from 1 December 1948 to 31 August 1949; and that an additional amount of approximately \$2,500,000 will be required for administrative and local operational expenses;

3. *Authorizes* the Secretary-General in consultation with the Advisory Committee on Administrative and Budgetary Questions to advance immediately a sum of up to \$5,000,000 from the Working Capital Fund of the United Nations, the said sum to be repaid before the end of the period specified in paragraph 2, from the voluntary governmental contributions requested under paragraph 4;

4. *Urges* all States Members of the United Nations to make, as soon as possible, voluntary contributions in kind or in funds sufficient to ensure that the amount of supplies and funds required is obtained, and states that, to this end, voluntary contributions of non-member States would also be accepted. Contributions in funds may be made in currencies other than the United States dollar, in so far as the operations of the relief organization can be carried out in such currencies;

5. *Authorizes* the Secretary-General to establish a Special Fund into which contributions shall be paid, which will be administered as a separate account;

6. *Authorizes* the Secretary-General to expend the funds received under paragraphs 3 and 4 of this resolution;

7. *Instructs* the Secretary-General, in consultation with the Advisory Committee on Administrative and Budgetary Questions, to establish regulations for the administration and supervision of the Fund;

8. *Requests* the Secretary-General to take all necessary steps to extend aid to Palestine refugees and to establish such administrative organization as may be required for this purpose, inviting the assistance of the appropriate agencies of the several Governments, the specialized agencies of the United Nations, the United Nations International Children's Emergency Fund, the International Committee of the Red Cross, the League of Red Cross Societies and other volun-

tary agencies, it being recognized that the participation of voluntary organizations in the relief plan would in no way derogate from the principle of impartiality on the basis of which the assistance of these organizations is being solicited;

9. *Requests* the Secretary-General to appoint a United Nations Director of Relief for Palestine Refugees to whom he may delegate such responsibility as he may consider appropriate for the overall planning and implementation of the relief programme;

10. *Agrees* to the convoking, at the discretion of the Secretary-General, of an *ad hoc* advisory committee of seven members to be selected by the President of the General Assembly to which the Secretary-General may submit any matter of principle or policy upon which he would like the benefit of the Committee's advice;

11. *Requests* the Secretary-General to continue and to extend the implementation of the present relief programme, until the machinery provided for by the present resolution is set up;

12. *Urges* the World Health Organization, the Food and Agriculture Organization, the International Refugee Organization, the United Nations International Children's Emergency Fund, and other appropriate organizations and agencies, acting within the framework of the relief programme herein established, promptly to contribute supplies, specialized personnel and other services permitted by their constitutions and their financial resources, to relieve the desperate plight of Palestine refugees of all communities;

13. *Requests* the Secretary-General to report to the General Assembly, at the next regular session, on the action taken as a result of this resolution.

#### 10. *Question of Continuing Through 1949 the United Nations Appeal for Children*

{After noting the response to the United Nations Appeal for Children and recognizing the international moral responsibility for action for the greater well-being of children throughout the world, the General Assembly in this resolution continues the Appeal for Children, inviting continued cooperation from the peoples of all countries for the Appeal. The proceeds of the collection are to be for the benefit of the United Nations International Children's Emergency Fund, which agency is requested to assist in the conduct of national campaigns and to report concerning the appeals to the Ninth Session of the Economic and Social Council and to the Fourth Regular Session of the General Assembly.

This resolution was adopted on December 8 by a vote of 32 to 0, with 5 abstentions.]

The General Assembly,

NOTING the widespread response to the United Nations Appeal for Children, the large number of countries which have co-operated in the conduct of national campaigns, and the co-operation and support for the Appeal provided by non-governmental organizations,

RECOGNIZING that the aftermath of devastation and dislocation resulting from war has revealed specific needs of children in many countries and that a moral responsibility falls on the peoples of all countries to act for the greater well-being of children throughout the world,

NOTING, with approval, the provisions of resolution 162 (VII) adopted by the Economic and Social Council on 12 August 1948,

1. *Continues* the United Nations Appeal for Children as a world-wide appeal for voluntary non-governmental contributions to be used for the benefit of children, adolescents, and expectant and nursing mothers without discrimination on account of race, religion, nationality, or political belief;

2. *Invites* the co-operation of peoples of all countries to assist and support national activities in favour of the Appeal;

3. *Decides* that the proceeds of the collections in each country shall be for the benefit of the United Nations International Children's Emergency Fund, and that the name *United Nations Appeal for Children* shall be used only in national campaigns which are conducted for this purpose, subject to the provisions of resolution 92 (I) of the General Assembly governing the use of the United Nations name and abbreviations of that name;

4. *Requests* the United Nations International Children's Emergency Fund, as the United Nations agency entrusted with special responsibility for meeting emergency needs of children in many parts of the world:

(a) To assist in the conduct of national campaigns for the benefit of the International Children's Emergency Fund, with a view to providing international co-ordination of voluntary governmental and non-governmental appeals for the benefit of children;

(b) To report concerning the appeals to the ninth session of the Economic and Social Council and to the fourth regular session of the General Assembly.

## 11. *Universal Declaration of Human Rights*

[The Assembly took action on this important subject December 10. First adopted, by a vote of 48 to 0, with 8 abstentions, was the Declaration proper. A second resolution, adopted 40 to 0, with 8 abstentions, calls for further study on the right of petition. A third resolution, adopted by a vote of 46 to 6, with 2 abstentions, states the Assembly's decision not to deal specifically with the question of minorities in the Declaration and requests the Economic and Social Council to ask the Commission on Human Rights and the Subcommission on the Prevention of Discrimination and the Protection of Minorities to study this problem in order that the United Nations may be able to take effective measures for the protection of social, national, religious, or linguistic minorities. The next resolution recommends that Members use every means to publicize the text of the Declaration, requests the Secretary-General to publish and distribute texts in all languages possible, and invites the specialized agencies and nongovernmental organizations to do their utmost to bring the Declaration to the attention of their members. It was adopted by a vote of 41 to 0, with 9 abstentions. The final resolution, which was adopted by 44 votes to 0, with 8 abstentions, requests the Economic and Social Council to ask the Commission on Human Rights to continue to give priority to the preparation of a draft covenant on human rights and draft measures of implementation.]

### I

#### UNIVERSAL DECLARATION OF HUMAN RIGHTS

##### *Preamble*

WHEREAS recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world,

WHEREAS disregard and contempt for human rights have resulted in barbarous acts which have outraged the conscience of mankind, and the advent of a world in which human beings shall enjoy freedom of speech and belief and freedom from fear and want has been proclaimed as the highest aspiration of the common people,

WHEREAS it is essential, if man is not to be compelled to have recourse, as a last resort, to rebellion against tyranny and oppression, that human rights should be protected by the rule of law,

WHEREAS it is essential to promote the development of friendly relations between nations,

WHEREAS the peoples of the United Nations have in the Charter reaffirmed their faith in fundamental human rights, in the dignity and worth of the human person and in the equal rights of men and women and have determined to promote social progress and better standards of life in larger freedom,

WHEREAS Member States have pledged themselves to achieve, in co-operation with the United Nations, the promotion of universal respect for and observance of human rights and fundamental freedoms,

WHEREAS a common understanding of these rights and freedoms is of the greatest importance for the full realization of this pledge,

Now therefore

The General Assembly,

*Proclaims* this Universal Declaration of Human Rights as a common standard of achievement for all peoples and all nations, to the end that every individual and every organ of society, keeping this Declaration constantly in mind, shall strive by teaching and education to promote respect for these rights and freedoms and by progressive measures, national and international, to secure their universal and effective recognition and observance, both among the peoples of Member States themselves and among the peoples of territories under their jurisdiction.

#### ARTICLE 1

All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood.

#### ARTICLE 2

Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.

Furthermore, no distinction shall be made on the basis of the political, jurisdictional or international status of the country or territory to which a person belongs, whether it be independent, Trust, Non-Self-Governing or under any other limitation of sovereignty.

#### ARTICLE 3

Everyone has the right to life, liberty and the security of person.

#### ARTICLE 4

No one shall be held in slavery or servitude; slavery and the slave trade shall be prohibited in all their forms.

## ARTICLE 5

No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment.

## ARTICLE 6

Everyone has the right to recognition everywhere as a person before the law.

## ARTICLE 7

All are equal before the law and are entitled without any discrimination to equal protection of the law. All are entitled to equal protection against any discrimination in violation of this Declaration and against any incitement to such discrimination.

## ARTICLE 8

Everyone has the right to an effective remedy by the competent national tribunals for acts violating the fundamental rights granted him by the constitution or by law.

## ARTICLE 9

No one shall be subjected to arbitrary arrest, detention or exile.

## ARTICLE 10

Everyone is entitled in full equality to a fair and public hearing by an independent and impartial tribunal, in the determination of his rights and obligations and of any criminal charge against him.

## ARTICLE 11

1. Everyone charged with a penal offence has the right to be presumed innocent until proved guilty according to law in a public trial at which he has had all the guarantees necessary for his defence.

2. No one shall be held guilty of any penal offence on account of any act or omission which did not constitute a penal offence, under national or international law, at the time when it was committed. Nor shall a heavier penalty be imposed than the one that was applicable at the time the penal offence was committed.

## ARTICLE 12

No one shall be subjected to arbitrary interference with his privacy, family, home or correspondence, nor to attacks upon his honour and reputation. Everyone has the right to the protection of the law against such interference or attacks.

## ARTICLE 13

1. Everyone has the right to freedom of movement and residence within the borders of each state.

2. Everyone has the right to leave any country, including his own, and to return to his country.

#### ARTICLE 14

1. Everyone has the right to seek and to enjoy in other countries asylum from persecution.

2. This right may not be invoked in the case of prosecutions genuinely arising from non-political crimes or from acts contrary to the purposes and principles of the United Nations.

#### ARTICLE 15

1. Everyone has the right to a nationality.

2. No one shall be arbitrarily deprived of his nationality nor denied the right to change his nationality.

#### ARTICLE 16

1. Men and women of full age, without any limitation due to race, nationality or religion, have the right to marry and to found a family. They are entitled to equal rights as to marriage, during marriage and at its dissolution.

2. Marriage shall be entered into only with the free and full consent of the intending spouses.

3. The family is the natural and fundamental group unit of society and is entitled to protection by society and the State.

#### ARTICLE 17

1. Everyone has the right to own property alone as well as in association with others.

2. No one shall be arbitrarily deprived of his property.

#### ARTICLE 18

Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief, and freedom, either alone or in community with others and in public or private, to manifest his religion or belief in teaching, practice, worship and observance.

#### ARTICLE 19

Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers.

#### ARTICLE 20

1. Everyone has the right to freedom of peaceful assembly and association.

2. No one may be compelled to belong to an association.

## ARTICLE 21

1. Everyone has the right to take part in the government of his country, directly or through freely chosen representatives.

2. Everyone has the right of equal access to public service in his country.

3. The will of the people shall be the basis of the authority of government; this will shall be expressed in periodic and genuine elections which shall be by universal and equal suffrage and shall be held by secret vote or by equivalent free voting procedures.

## ARTICLE 22

Everyone, as a member of society, has the right to social security and is entitled to the realization, through national effort and international co-operation and in accordance with the organization and resources of each State, of the economic, social and cultural rights indispensable for his dignity and the free development of his personality.

## ARTICLE 23

1. Everyone has the right to work, to free choice of employment, to just and favourable conditions of work and to protection against unemployment.

2. Everyone, without any discrimination, has the right to equal pay for equal work.

3. Everyone who works has the right to just and favourable remuneration insuring for himself and his family an existence worthy of human dignity, and supplemented, if necessary, by other means of social protection.

4. Everyone has the right to form and to join trade unions for the protection of his interests.

## ARTICLE 24

Everyone has the right to rest and leisure, including reasonable limitation of working hours and periodic holidays with pay.

## ARTICLE 25

1. Everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, housing and medical care and necessary social services, and the right to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond his control.

2. Motherhood and childhood are entitled to special care and assistance. All children, whether born in or out of wedlock, shall enjoy the same social protection.



## ARTICLE 26

1. Everyone has the right to education. Education shall be free, at least in the elementary and fundamental stages. Elementary education shall be compulsory. Technical and professional education shall be made generally available and higher education shall be equally accessible to all on the basis of merit.

2. Education shall be directed to the full development of the human personality and to the strengthening of respect for human rights and fundamental freedoms. It shall promote understanding, tolerance and friendship among all nations, racial or religious groups, and shall further the activities of the United Nations for the maintenance of peace.

3. Parents have a prior right to choose the kind of education that shall be given to their children.

## ARTICLE 27

1. Everyone has the right freely to participate in the cultural life of the community, to enjoy the arts and to share in scientific advancement and its benefits.

2. Everyone has the right to the protection of the moral and material interests resulting from any scientific, literary or artistic production of which he is the author.

## ARTICLE 28

Everyone is entitled to a social and international order in which the rights and freedoms set forth in this Declaration can be fully realized.

## ARTICLE 29

1. Everyone has duties to the community in which alone the free and full development of his personality is possible.

2. In the exercise of his rights and freedoms, everyone shall be subject only to such limitations as are determined by law solely for the purpose of securing due recognition and respect for the rights and freedoms of others and of meeting the just requirements of morality, public order and the general welfare in a democratic society.

3. These rights and freedoms may in no case be exercised contrary to the purposes and principles of the United Nations.

## ARTICLE 30

Nothing in this Declaration may be interpreted as implying for any State, group or person any right to engage in any activity or to perform any act aimed at the destruction of any of the rights and freedoms set forth herein.

## II

The General Assembly,

CONSIDERING that the right of petition is an essential human right as is recognized in the constitution of a great number of countries,

HAVING CONSIDERED the draft article on petitions in document A/C.3/306 and the amendments offered thereto by Cuba and France,

*Decides* not to take any action on this matter at the present session;

*Requests* the Economic and Social Council to ask the Commission on Human Rights to give further examination to the problem of petitions when studying the draft Covenant on Human Rights and measures of implementation, in order to enable the General Assembly to consider what further action, if any, should be taken at its next regular session regarding the problem of petitions.

## III

The General Assembly,

CONSIDERING that the United Nations cannot remain indifferent to the fate of minorities,

CONSIDERING that it is difficult to adopt a uniform solution of this complex and delicate question, which has special aspects in each State in which it arises,

CONSIDERING the universal character of the Declaration of Human Rights,

*Decides* not to deal in a specific provision with the question of minorities in the text of this Declaration;

*Refers* to the Economic and Social Council the texts submitted by the delegations of the Union of Soviet Socialist Republics, Yugoslavia and Denmark on this subject contained in document A/C.3/307/Rev. 2 and requests the Council to ask the Commission on Human Rights and the Sub-Commission on the Prevention of Discrimination and the Protection of Minorities to make a thorough study of the problem of minorities in order that the United Nations may be able to take effective measures for the protection of racial, national, religious or linguistic minorities.

## IV

The General Assembly,

CONSIDERING that the adoption of the Universal Declaration of Human Rights is an historic act destined to consolidate world peace through the contribution of the United Nations towards the liberation of individuals from the unjustified oppression and constraint to which they are too often subjected,

CONSIDERING that the text of the Declaration should be disseminated among all peoples throughout the world;

1. *Recommends* Governments of Member States to show their adherence to Article 56 of the Charter by using every means within their power solemnly to publicize the text of the Declaration and to cause it to be disseminated, displayed, read and expounded principally in schools and other educational institutions, without distinction based on the political status of countries or territories;

2. *Requests* the Secretary-General to have this Declaration widely disseminated and, to that end, to publish and distribute texts, not only in the official languages, but also, using every means at his disposal, in all languages possible;

3. *Invites* the specialized agencies and non-governmental organizations of the world to do their utmost to bring this Declaration to the attention of their members.

## V

The General Assembly,

CONSIDERING that the plan of work of the Commission on Human Rights provides for an International Bill of Human Rights, to include a Declaration, a Covenant on Human Rights and measures of implementation,

*Requests* the Economic and Social Council to ask the Commission on Human Rights to continue to give priority in its work to the preparation of a draft Covenant on Human Rights and draft measures implementation,

## 12. *Information From Non-Self-Governing Territories*

[Acting on the reports of the Secretary-General and of its special committee on information transmitted under article 73 (e) of the Charter, the General Assembly adopted the following four resolutions. The first of these calls upon Members to transmit most recent information; invites the Secretary-General to extend the use of supplemental information and to prepare full summaries of the information in 1949 and thereafter at three-year intervals, together with annual supplements; and retains the existing standard form for the guidance of Members in the preparation of information. The second resolution reconstitutes the special committee on information transmitted under article 73 (e) of the Charter, and the Committee is invited to examine and report on the summaries and analyses of information transmitted under article 73 (e) on the economic, social, and educational conditions in the non-self-governing territories. The third resolution provides for liaison between the Economic and Social Council and the special committee, and the last resolution

invites the collaboration of the specialized agencies in matters concerning the non-self-governing territories.

Plenary action was taken on all four resolutions November 3. The first was adopted by a roll-call vote of 41 to 6, with 2 abstentions; the second by 44 to 7; the third by 44 to 0, with 7 abstentions; and the fourth by 44 to 0, with 7 abstentions.]

## I

## TRANSMISSION OF INFORMATION UNDER ARTICLE 73 e OF THE CHARTER

The General Assembly,

CONSIDERING that, in the light of experience, resolution 66 (I) adopted by the General Assembly on 14 December 1946 and resolutions 142 (II) and 143 (II) adopted by the General Assembly on 3 November 1947 require adaptation and amplification,

1. *Invites* the Members transmitting information under Article 73 e of the Charter to send to the Secretary-General the most recent information which is at their disposal, as early as possible and at the latest within a maximum period of six months following the expiration of the administrative year in the territories concerned;

2. *Recommends* that the Members, in transmitting information on the basis of the Standard Form, should notify such changes in statistics and such other appreciable changes, including the progress achieved in accordance with development programmes, as have occurred in the previous year and as affect the matters covered by Article 73 e of the Charter, bearing in mind that information already furnished on a previous occasion need not be repeated but that reference may be made to the appropriate sources;

3. *Invites* the Secretary-General to extend the use of supplemental information in future years and considers that, in order to provide a means of assessing the information transmitted under Article 73 e, the Secretary-General should be authorized to include in his summaries and analyses all relevant and comparable official statistical information, within the categories referred to in Article 73 e of the Charter, which has been communicated to the United Nations or to the specialized agencies;

4. *Invites* the Secretary-General to prepare for the General Assembly, and for any special committee which the General Assembly may appoint:

(a) Full summaries and analyses of the information transmitted during 1949 and thereafter at three-year intervals, showing the progress made over the three-year period in respect of economic, social and educational conditions;

(b) In the intervening years' annual supplements, showing such changes in statistics and such other appreciable changes, including information on the progress achieved in accordance with development programmes, as have occurred in the previous year, together with relevant statistics for the previous two years, as well as analyses of different aspects of economic, social and educational conditions to which attention may have been drawn in previous years;

(c) Annual summaries of any material which the Members may have voluntarily transmitted under the optional category of the Standard Form;

5. *Invites* the Secretary-General to distribute the documents referred to above as far as practicable in accordance with the attached schedule;

6. *Decides* that the Standard Form for the guidance of Members in the preparation of information should be retained for the coming year, but that the Secretary-General

(a) In communicating this Form to the Members concerned should inform them of the comments made in the Special Committee in connexion with the contents of the Form and the information received;

(b) Should endeavour as far as practicable to take account of these comments in the preparation of his summaries and analyses; and.

(c) Should invite the Members concerned, which have not hitherto provided the general information forming the optional category of the Standard Form, nevertheless to supply such information in relation to the geography, history, people of, and human rights in, the territories concerned.

#### *Schedule*

Information received before 1 June: summaries to be communicated by the Secretary-General before 15 July.

Information received in the month of June: summaries to be communicated before 31 July.

Analyses to be communicated by 31 July if practicable, and in any event not later than 15 August.

#### II

#### SPECIAL COMMITTEE ON INFORMATION TRANSMITTED UNDER ARTICLE 73 e OF THE CHARTER

The General Assembly,

HAVING CONSIDERED the report of the Special Committee on Information transmitted under Article 73 e of the Charter which was

constituted by resolution 146 (II) adopted by the General Assembly on 3 November 1947,

1. *Considers* that, without prejudice as to the future, a special committee similar to that of this year should be constituted to meet in 1949, composed of all the members of the United Nations which have hitherto transmitted information in accordance with Article 73 e and of an equal number of other Members elected by the Fourth Committee on behalf of the General Assembly, on as wide a geographical basis as possible;

2. *Invites* this special committee to examine the summaries and analyses of information transmitted under Article 73 e on the economic, social and educational conditions in the Non-Self-Governing Territories, including any papers prepared by the specialised agencies, and to submit a report thereon for the consideration of the General Assembly, with such procedural recommendations as the special committee may deem fit and such substantive recommendations as it may deem desirable relating to functional fields generally but not with respect to individual territories;

3. *Considers* that the Special Committee should meet in 1949, not later than three weeks before the opening of the regular session of the General Assembly, at a place to be determined by the Secretary-General, and should conclude its work not later than one week before the opening of the session.

### III

#### LIAISON BETWEEN THE ECONOMIC AND SOCIAL COUNCIL AND THE SPECIAL COMMITTEE ON INFORMATION TRANSMITTED UNDER ARTICLE 73 e OF THE CHARTER

The General Assembly,

HAVING CONSIDERED the report of the Special Committee on Information transmitted under Article 73 e of the Charter which was constituted by resolution 146 (II) adopted by the General Assembly on 3 November 1947 and which was authorised to establish liaison with the Economic and Social Council,

1. *Invites* the Secretary-General to:

(a) Inform any special committee which the General Assembly may appoint of decisions taken by the Economic and Social Council and of studies undertaken under its auspices which include within their scope economic and social conditions affecting Non-Self-Governing Territories;

(b) Place at the disposal of the Economic and Social Council all relevant information transmitted under Article 73 e and all relevant

supplemental information required for the work of the Economic and Social Council;

2. *Draws the attention* of the Members responsible for the administration of the Non-Self-Governing Territories to the arrangements for technical assistance approved by the Economic and Social Council, and invites the Secretary-General to inform any special committee which the General Assembly may appoint of the extent and nature of any such technical assistance rendered to Non-Self-Governing Territories at the request of the Administrating Members.

## IV

COLLABORATION OF THE SPECIALIZED AGENCIES IN REGARD TO  
ARTICLE 73 e OF THE CHARTER

The General Assembly,

HAVING CONSIDERED the report of the Special Committee on Information transmitted under Article 73 e of the Charter which was constituted by resolution 146 (II) adopted by the General Assembly on 3 November 1947, and which was authorized to avail itself of the counsel and assistance of the specialized agencies,

1. *Has noted* the resolution adopted by the World Health Assembly and welcomes the measures being taken by the World Health Organization to examine the section of the Standard Form relating to public health and sanitation, and in other ways to provide technical assistance in the preparation and consideration of information transmitted under Article 73 e of the Charter;

*Has also noted* the information supplied by the International Labour Office with particular reference to the ratification and application of international labour conventions concerning Non-Self-Governing Territories and to the study which is being undertaken in regard to migrant labour problems;

*Has also noted* the explanations furnished by the representative of the United Nations Educational, Scientific and Cultural Organization on the services which that organization is providing in Non-Self-Governing Territories with the consent of the Members responsible for the administration of these territories;

2. *Invites* the Secretary-General to keep in close touch with the secretariats of the specialized agencies with a view to seeking their counsel and assistance in the preparation of his analyses of information transmitted under Article 73 e of the Charter;

3. *Invites* the specialized agencies to examine the relevant sections of the Standard Form with which they are specially concerned, with a view to the revision of this Form;

4. *Invites* the specialized agencies to inform any special committee which the General Assembly may appoint of the progress of any work undertaken by them which includes within its scope economic, social and educational conditions affecting Non-Self-Governing Territories;

5. *Further invites* the appropriate specialized agencies to make such comments on the analyses prepared by the Secretary-General as they may feel will be helpful to the consideration of these analyses.

## V

## CESSATION OF TRANSMISSION OF INFORMATION UNDER ARTICLE 73 e OF THE CHARTER

WHEREAS, by Article 73 e of the Charter, Members of the United Nations which have or assume responsibilities for the administration of territories whose peoples have not yet attained a full measure of self-government have accepted the obligation to transmit, subject to such limitation as security and constitutional considerations may require, statistical and other information of a technical nature relating to the economic, social and educational conditions in those territories,

WHEREAS, by General Assembly resolution 66 (I) adopted on 14 December 1946, 74 territories were enumerated, in accordance with the declarations of the responsible Governments, as falling within the scope of Article 73 e,

WHEREAS some of the responsible Governments concerned have not transmitted information on certain of these territories in 1947 and in 1948, without furnishing any explanation for such omission,

The General Assembly

1. *Welcomes* any development of self-government that may have taken place subsequent to the passing of General Assembly resolution 66 (I) in any of the territories enumerated therein;

2. *Considers* that, having regard to the provisions of Chapter XI of the Charter, it is essential that the United Nations be informed of any change in the constitutional position and status of any such territory as a result of which the responsible Government concerned thinks it unnecessary to transmit information in respect of that territory under Article 73 e of the Charter; and

3. *Requests* the Members concerned to communicate to the Secretary-General, within a maximum period of six months, such information as may be appropriate pursuant to the preceding paragraph, including the constitution, legislative act or executive order providing for the government of the territory and the constitutional relationship of the territory to the Government of the metropolitan country.



### 13. *Report of the Trusteeship Council*

[Four resolutions were adopted by the Assembly as the result of its consideration of the report of the Trusteeship Council covering its Second and Third Sessions. The first resolution simply takes note of the report and recommends that the Trusteeship Council consider the comments and suggestions made during the discussion of the report by the Assembly. The next resolution, dealing with administrative unions affecting trust territories, recommends that the Trusteeship Council investigate certain questions respecting the nature and effect of administrative unions in the light of the terms of the trusteeship agreements and of the assurances given by the administrative authorities; recommend such safeguards as it deems necessary to preserve the distinct political status of the trust territories and to enable the Council to exercise effective supervisory functions over such territories; and report thereon to the next regular session of the Assembly. In the third resolution, the Assembly recommends that the Trusteeship Council work out, in consultation with the administering authorities of the trust territories, means for the improvement and expansion of educational facilities in these areas. The final resolution calls upon the administering authorities in the trust territories to take all measures to improve and promote the political, economic, and social advancement of the inhabitants and to accelerate the progressive development of self-government or independence in the trust territories.]

All four resolutions were adopted without objection November 18.]

#### I

#### REPORT OF THE TRUSTEESHIP COUNCIL COVERING ITS SECOND AND THIRD SESSIONS

The General Assembly

*Takes note* of the report of the Trusteeship Council covering its second and third sessions (A/603);

*Expresses* its confidence that the Trusteeship Council, in a spirit of co-operation, will effectively contribute to achieving the high objectives of the Trusteeship System;

*Recommends* that the Trusteeship Council consider at its next session the comments and suggestions made during the discussion of the report at the third session of the General Assembly;

*Requests* the Secretary-General to prepare for the use of the Trusteeship Council an appropriate document setting forth such comments and suggestions.

## II

## ADMINISTRATIVE UNIONS AFFECTING TRUST TERRITORIES

The General Assembly,

MINDFUL that one of the basic objectives of the Trusteeship System is to promote the political, economic, social and educational advancement of the Trust Territories, and their progressive development towards self-government or independence,

NOTING that the Trusteeship Agreements for some of these Territories authorize the Administering Authority concerned to constitute the Territory into a customs, fiscal or administrative union or federation with adjacent territories under its sovereignty or control and to establish common services between the Trust Territory and such adjacent territories, where such measures are not inconsistent with the basic objectives of the Trusteeship System and with the terms of the Trusteeship Agreement,

RECOGNIZING that in certain circumstances such unions may be in the interests of the inhabitants of the Territory concerned,

RECALLING that the General Assembly approved these Agreements upon the assurance of the Administering Powers that they do not consider the terms of the relevant articles in the Trusteeship Agreements "as giving powers to the Administering Authority to establish any form of political association between the Trust Territories respectively administered by them and adjacent territories which would involve annexation of the Trust Territories in any sense or would have the effect of extinguishing their status as Trust Territories",

HAVING CONSIDERED the observations of the Trusteeship Council, contained in the report covering its second and third sessions, on the existing or proposed administrative unions between certain Trust Territories and the adjacent territories under the sovereignty or control of the Administering Authority,

Notes the observations of the Trusteeship Council on such administrative unions; and in particular,

Endorses the observations of the Trusteeship Council that an administrative union "must remain strictly administrative in its nature and its scope and that its operation must not have the effect of creating any conditions which will obstruct the separate development of the Trust Territory, in the fields of political, economic, social and educational advancement, as a distinct entity";

Recommends accordingly that the Trusteeship Council should:

(a) Investigate these questions in all their aspects with special reference to such unions already constituted or proposed and in the

light of the terms of the Trusteeship Agreements and of the assurances given by the Administering Authorities in this connexion;

(b) In the light of this investigation, recommend such safeguards as the Council may deem necessary to preserve the distinct political status of the Trust Territories and to enable the Council effectively to exercise supervisory functions over such Territories;

(c) Request, whenever appropriate, an advisory opinion of the International Court of Justice as to whether such unions are within the scope of and compatible with, the stipulations of the Charter and the terms of the Trusteeship Agreements as approved by the General Assembly;

(d) Invite the Administering Authorities to make available to the Council such information relating to administrative unions as will facilitate the investigation by the Council referred to above;

(e) Report specifically to the next regular session of the General Assembly on the results of its investigations and the action taken by it.

### III

#### EDUCATIONAL ADVANCEMENT IN TRUST TERRITORIES

The General Assembly,

HAVING SEEN the report of the Trusteeship Council, which points out the needs of education in certain Trust Territories,

CONSIDERING that the development of education is an essential condition for the advancement of the inhabitants of these Territories in all spheres of human progress,

CONSIDERING that the democratization of education is an essential condition for the progressive development of these Territories,

CONSIDERING that the objective formulated in the Charter of promoting the development of the inhabitants of these Territories towards self-government requires the creation of a system of universal education for the inhabitants without exception or discrimination,

*Takes note* of the plans of the Administering Authorities for extending educational facilities in their respective Trust Territories;

*Recommends* the Trusteeship Council

(a) To request the Administering Authorities to intensify, within their possibilities, their efforts to increase educational facilities, even if this should involve an increase in the budgetary provisions for this purpose;

(b) In order to ensure that this increase of educational facilities be carried out in a democratic manner, to propose to the Administering Authorities that primary education should be free and that access to higher education should not be dependent on means;

(c) To suggest to the Administering Authorities the improvement and expansion of existing facilities for the training of indigenous teachers;

(d) Having regard to the existing facilities for higher education in Africa already provided by certain Administering Authorities and bearing in mind the plans already made for their development, to study, in consultation with these Administering Authorities and, if the Council considers it desirable, with the United Nations Educational, Scientific and Cultural Organization, the financial and technical implications of a further expansion of these facilities, including the possibility of establishing in 1952 and maintaining a university, to meet the higher educational needs of the inhabitants of Trust Territories in Africa;

(e) In accordance with the objectives of Article 76 b of the Charter and so that the United Nations may be in a position to form an opinion of the progress achieved in the field of education, to request the Administering Authorities to furnish it each year with the most complete and detailed information obtainable on this subject.

#### IV

#### PROGRESSIVE DEVELOPMENT OF TRUST TERRITORIES

The General Assembly,

RECALLING that the Trusteeship System is aimed at the progressive development of Trust Territories toward self-government or independence,

CONSIDERING that this development should be achieved at the earliest possible date and that the Trust Territories should attain self-government or independence as soon as possible,

NOTING the efforts of the Administering Authorities already made in this direction,

RECALLING that Article 77 of the Charter contemplates the application of the Trusteeship System, in accordance with the terms of that Article, to the three types of territories enumerated therein,

*Reaffirms* that the supervisory authority over Trust Territories rests with the United Nations;

*Recommends* that the Administering Authorities

(a) Take all measures to improve and promote the political, economic, social and educational advancement of the inhabitants of Trust Territories;

(b) Take all possible steps to accelerate the progressive development towards self-government or independence of the Trust Territories they administer.

## 14. *Fourth Annual Budget and Working Capital Fund of the United Nations*

[In these three resolutions the General Assembly appropriated and allocated the necessary funds for the operations of the United Nations during 1949; established the level and method of administration of the Working Capital Fund during 1949; and authorized the Secretary-General to enter into commitments to meet unforeseen and extraordinary expenses under certain circumstances.

All three resolutions were adopted December 11, the first resolution having been approved, 48 to 0, with 6 abstentions, and the two remaining resolutions accepted without objection.]

### I

#### APPROPRIATION RESOLUTION FOR THE FINANCIAL YEAR 1949

The General Assembly

*Resolves* that for the financial year 1949:

1. An amount of \$43,487,128 (U. S.) is hereby appropriated for the following purposes:

#### A. The United Nations

##### Part I. Sessions of the General Assembly, the Councils, Commissions and Committees

###### Section

1. The General Assembly and Commissions and Committees thereof . . . . .	\$1 706 200	
2. The Security Council and Commissions and Committees thereof . . . . .	472 300	
3. The Economic and Social Council and Commissions and Committees thereof . .	\$438 780	
(a) Permanent Central Opium Board and Drug Supervisory Body . . . . .	45 000	
(b) Regional Economic Commissions . .	48 110	
	<hr/>	531 890
4. The Trusteeship Council and Commissions and Committees thereof . . . . .	150 000	\$2 860 390

##### Part II. Special Conferences, Investigations and Inquiries

5. Special Conferences . . . . .	86 330	
6. Investigations and Inquiries . . . . .	5 248 303	5 334 633

##### Part III. Headquarters, New York

7. Executive Office of the Secretary-General . . . . .	332 360	
8. Department of Security Council Affairs . . . . .	645 400	
9. Military Staff Committee Secretariat . . . . .	162 200	

10. Department of Economic Affairs . . . . .	\$2 181 000	
11. Department of Social Affairs . . . . .	1 256 125	
12. Department for Trusteeship and Information from Non-Self-Governing Territories . . . . .	812 490	
13. Department of Public Information . . . . .	\$2 860 050	
A. Library Services . . . . .	378 110	
	<hr/>	3 238 160
14. Department of Legal Affairs . . . . .	480 380	
15. Conference and General Services . . . . .	6 825 000	
16. Administrative and Financial Services . . . . .	1 387 120	
17. Common Staff Costs . . . . .	4 379 200	
18. Common Services . . . . .	2 083 700	
19. Permanent Equipment . . . . .	370 090	\$24 153 225

## Part IV. European Office

20. The European Office (excluding direct costs, Chapter III, Secretariat of the Permanent Central Opium Board and Drug Supervisory Body) . . . . .	\$3 667 880	
Chapter III, the Secretariat (direct costs) of the Permanent Central Opium Board and Drug Supervisory Body . . . . .	41 200	
	<hr/>	3 709 080
		3 709 080

## Part V. Information Centres

21. Information Centres (other than Information Serv- ices, European Office) . . . . .	719 990	719 990
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Part VI. Regional Economic Commissions (Other than  
the Economic Commission for Europe)

22. Economic Commission for Asia and the Far East . . . . .	587 380	
23. Economic Commission for Latin America . . . . .	385 430	972 810

## Part VII. Hospitality

24. Hospitality . . . . .	20 000	20 000
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## Part VIII. Advisory Social Welfare Functions

25. Advisory Social Welfare Functions . . . . .	631 000	631 000
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## Part IX. Undistributed Expenses

26. Cost of the adoption of Spanish as a Working Language . . . . .	300 000	300 000
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## B. International Court of Justice

## Part X. The International Court of Justice

27. Salaries and Expenses of Members of the Court . . . . .	375 000	
28. Salaries, Wages and Expenses of the Registry . . . . .	205 000	

29. Common Services . . . . .	\$60 000	
30 Permanent Equipment . . . . .	10 000	\$650 000
		<hr/>
Part XI. Cost of Converting Salaries and Allowances From Net to Gross and Increase in Headquarters Cost of Living Allowances		
31. Cost of converting salaries and allowances from net to gross and increase in headquarters cost of living allowances . . . . .	4 286 000	4 286 000
		<hr/>
		43 637 128
32. Global reduction on provisions for Contractual Printing . . . . .		-150 000
		<hr/>
		43 487 128
		<hr/> <hr/>

2. The appropriations granted by paragraph 1 shall be financed by contributions from Members after adjustment as provided by regulation 17 of the Provisional Financial Regulations. For this purpose miscellaneous income for the financial year 1949 is estimated at \$4,794,550 (U. S.).

3. Amounts not exceeding the appropriations granted by paragraph 1 shall be available for payment of obligations in respect of goods supplied and services rendered during the period 1 January 1949 to 31 December 1949.

4. The Secretary-General is authorized

- (i) To administer as a unit the appropriations provided under section 3a and section 20, chapter III, as detailed under paragraph 1.
- (ii) To transfer credits from sections 26 and 31 to other sections of the budget as are appropriate.
- (iii) To apply the reductions under section 32 to the various sections concerned.
- (iv) With the prior concurrence of the Advisory Committee on Administrative and Budgetary Questions, to transfer credits between sections of the budget.

5. In addition to the appropriations granted by paragraph 1, an amount of \$23,000 (U. S.) is hereby appropriated for purchase of books, periodicals and maps, and library equipment from the income of the Library Endowment Fund in accordance with the objects and provisions of the endowment.

## II

## RESOLUTIONS RELATING TO THE WORKING CAPITAL FUND

The General Assembly

*Resolves* that:

1. The Working Capital Fund shall be maintained to 31 December 1949 at the amount of \$20,000,000 (U. S.);

2. Members shall make advances to the Working Capital Fund in accordance with the scale adopted by the General Assembly for contributions of Members to the fourth annual budget;

3. There shall be set off against this new allocation of advances, the amounts paid by Members to the Working Capital Fund for the financial year 1948; provided that, should the advance paid by any Member to the Working Capital Fund for the financial year 1948 exceed the amount of that Member's advance under the provision of paragraph 2 hereof, the excess shall be set off against the amount of contributions payable by that Member in respect of the fourth annual budget, or any previous budget.

4. The Secretary-General is authorized to advance from the Working Capital Fund:

(a) Such sums as may be necessary to finance budgetary appropriations pending receipt of contributions; sums so advanced shall be reimbursed as soon as receipts from contributions are available for the purpose;

(b) Such sums as may be necessary to finance commitments which may be duly authorized under the provisions of the resolution relating to unforeseen or extraordinary expenses. The Secretary-General shall make provision in the budget estimates for reimbursing the Working Capital Fund;

(c) Such sums as, together with net sums outstanding for the same purposes, do not exceed \$250,000 to continue the revolving fund to finance miscellaneous self-liquidating purchases and activities. Advances in excess of the total of \$250,000 may be made with the prior concurrence of the Advisory Committee. The Secretary-General shall submit, with the annual accounts, an explanation of the outstanding balance of the revolving fund at the end of each year;

(d) Loans to specialized agencies and preparatory commissions of agencies to be established by inter-governmental agreement under the auspices of the United Nations to finance their work, pending receipt by the agencies concerned of sufficient contributions under their own budgets. In making such loans, which shall be repayable within two years, the Secretary-General shall have regard to the proposed finan-



cial resources of the agency concerned, and shall obtain the prior concurrence of the Advisory Committee on Administrative and Budgetary Questions for any cash issues which would increase the aggregate balance outstanding (including amounts previously advanced and outstanding) at any one time to an amount in excess of \$3,000,000 and for any issue which would increase the balance outstanding (including amounts previously advanced and outstanding) in respect of any one agency to an amount in excess of \$1,000,000; and, within these amounts, to make available to the Interim Commission for the International Trade Organization, additional loans not to exceed \$344,843 for the period 1 January 1949 to 31 December 1949;

(e) Such sums as, together with the sums previously advanced and outstanding for the same purpose, do not exceed \$500,000 to continue the staff housing fund in order to finance advance rental payment, guarantee deposits and working capital requirements for housing the staff of the Secretariat. Such advances shall be reimbursed to the Working Capital Fund following the recovery of the rental advances, guarantee deposits and working capital advances;

(f) Such sums as, together with sums previously advanced and outstanding for the same purpose, do not exceed \$75,000 to continue a revolving fund to finance loans to certain staff members for purchase of furniture and household goods;

(g) In consultation with the Advisory Committee on Administrative and Budgetary Questions, such sums up to \$5,000,000 for assistance to Palestine refugees in accordance with the provisions of the resolution adopted by the General Assembly at its 163rd plenary meeting on 19 November 1948.

### III

#### RESOLUTION RELATING TO UNFORESEEN AND EXTRAORDINARY EXPENSES

The General Assembly

*Resolves* that, for the financial year 1949,

The Secretary-General, with the prior concurrence of the Advisory Committee on Administrative and Budgetary Questions, and subject to the financial regulations of the United Nations, is authorized to enter into commitments to meet unforeseen and extraordinary expenses; provided that the concurrence of the Advisory Committee shall not be necessary for:

(a) Such commitments not exceeding a total of \$2,000,000 (U. S.), if the Secretary-General certifies that they relate to the maintenance of peace and security or to urgent economic rehabilitation; or

(b) Such commitments as relate to expenses occasioned by an eventual second session of the Social Commission, of the Economic Commission for Asia and for the Far East and of the Economic Commission for Latin America not to exceed \$22,760, \$19,300 and \$10,000 respectively under each of these three headings, on approval of the holding of such sessions by the Economic and Social Council.

(c) Such commitments as may be necessary to provide for expenses for the proposed Economic Commission for the Middle East should the Economic and Social Council decide that this Commission be created in 1949;

(d) Such commitments, duly certified by the President of the International Court of Justice, relating to expenses occasioned:

- (i) By the appointment of assessors (Statute, Article 30) or of witnesses and experts (Statute, Article 50);
- (ii) By the maintenance in office of judges that have not been re-elected (Statute, Article 13, paragraph 3);
- (iii) By the holding of sessions of the Court away from The Hague (Statute, Article 22);

and which do not exceed \$25,000, \$40,000 and \$75,000 respectively under each of these three headings;

The Secretary-General shall report to the Advisory Committee and to the next regular session of the General Assembly all commitments made under the provisions of this resolution, together with the circumstances relating thereto, and shall submit supplementary estimates to the General Assembly in respect of such commitments.

### *15. Scale of Assessments for the Apportionment of the Expenses of the United Nations*

{In response to a proposal made by the United States, the General Assembly in the first of these two resolutions accepts the principles that in normal times no one Member of the United Nations should contribute more than one third of the ordinary expenses of the United Nations for any one year and that a ceiling should be fixed on the percentage rate of contributions of the Member State bearing the highest assessment. The Committee on Contributions is instructed to recommend how additional contributions can be used to remove existing maladjustments in the present scale of contributions, and Members are requested to assist the Committee by providing essential statistical data. This resolution was adopted without objection on November 18.

The second resolution, also adopted without objection on November 18, establishes the scale of assessments for the 1949 budget; authorizes the Secretary-General to accept a portion of Members' contributions in currencies other than United States dollars; provides for review of the scale of assessments for report to the fourth regular session of the General Assembly; establishes the assessment for Burma for that part of 1948 during which it was a member, and for the contribution of Switzerland to the expenses of the International Court of Justice.]

## I

The General Assembly,

## RECOGNIZING

(a) That in normal times no one Member State should contribute more than one-third of the ordinary expenses of the United Nations for any one year,

(b) That in normal times the *per capita* contribution of any Member should not exceed the *per capita* contribution of the Member which bears the highest assessment,

(c) That the Committee on Contributions needs for its work more adequate statistical data,

Accordingly:

1. *Reaffirms* the terms of reference of the Committee on Contributions accepted by the General Assembly in its resolution of 13 February 1946 (resolution 14 (I), A, 3);

2. *Calls upon* Member States to assist the Committee on Contributions by providing the available statistics and other information essential to its work;

3. *Accepts* the principle of a ceiling to be fixed on the percentage rate of contributions of the Member State bearing the highest assessments;

4. *Instructs* the Committee on Contributions, until a more permanent scale is proposed for adoption, to recommend how additional contributions resulting from (a) admission of new Members, and (b) increases in the relative capacity of Members to pay, can be used to remove existing maladjustments in the present scale or otherwise used to reduce the rates of contributions of present Members;

5. *Decides* that when existing maladjustments in the present scale have been removed and a more permanent scale is proposed, as world economic conditions improve, the rate of contribution which shall be the ceiling for the highest assessment shall be fixed by the General Assembly.

## II

## The General Assembly

*Resolves*

1. That the scale of assessments for the 1949 budget shall be as follows:

	<i>Percent</i>		<i>Percent</i>
Afghanistan . . . . .	0. 05	Liberia . . . . .	0. 04
Argentina . . . . .	1. 85	Luxembourg . . . . .	0. 05
Australia . . . . .	1. 97	Mexico . . . . .	0. 63
Belgium . . . . .	1. 35	Netherlands . . . . .	1. 40
Bolivia . . . . .	0. 08	New Zealand . . . . .	0. 50
Brazil . . . . .	1. 85	Nicaragua . . . . .	0. 04
Burma . . . . .	0. 15	Norway . . . . .	0. 50
Byelorussian Soviet Socialist Republic . . . . .	0. 22	Pakistan . . . . .	0. 70
Canada . . . . .	3. 20	Panama . . . . .	0. 05
Chile . . . . .	0. 45	Paraguay . . . . .	0. 04
China . . . . .	6. 00	Peru . . . . .	0. 20
Colombia . . . . .	0. 37	Philippines . . . . .	0. 29
Costa Rica . . . . .	0. 04	Poland . . . . .	0. 95
Cuba . . . . .	0. 29	Saudi Arabia . . . . .	0. 08
Czechoslovakia . . . . .	0. 90	Siam . . . . .	0. 27
Denmark . . . . .	0. 79	Sweden . . . . .	2. 00
Dominican Republic . . . . .	0. 05	Syria . . . . .	0. 12
Ecuador . . . . .	0. 05	Turkey . . . . .	0. 91
Egypt . . . . .	0. 79	Ukrainian Soviet Socialist Re- public . . . . .	0. 84
El Salvador . . . . .	0. 05	Union of South Africa . . . . .	1. 12
Ethiopia . . . . .	0. 08	Union of Soviet Socialist Re- publics . . . . .	6. 34
France . . . . .	6. 00	United Kingdom . . . . .	11. 37
Greece . . . . .	0. 17	United States of America . . . . .	39. 89
Guatemala . . . . .	0. 05	Uruguay . . . . .	0. 18
Haiti . . . . .	0. 04	Venezuela . . . . .	0. 27
Honduras . . . . .	0. 04	Yemen . . . . .	0. 04
Iceland . . . . .	0. 04	Yugoslavia . . . . .	0. 33
India . . . . .	3. 25		
Iran . . . . .	0. 45		
Iraq . . . . .	0. 17		
Lebanon . . . . .	0. 06		
		TOTAL . . . . .	100. 00

2. That, notwithstanding the terms of regulation 20 of the Provisional Financial Regulations, the Secretary-General be empowered to accept, at his discretion, and after consultation with the Chairman of the Committee on Contributions, a portion of the contributions of Member States for the financial year 1949, in currencies other than United States dollars;

3. That, notwithstanding the provisions of rule 149 of the rules of procedure of the General Assembly, the scale of assessments for the apportionment of the expenses of the United Nations shall be

reviewed by the Committee on Contributions in 1949 and a report submitted for the consideration of the General Assembly at its next regular session;

4. That, in view of the fact that Burma was admitted to membership in the United Nations on 19 April 1948, it shall contribute for the first year of membership two-thirds of its percentage assessment for 1949 applied to the budget for 1948;

5. That Switzerland, having become a party to the Statute of the International Court of Justice on 28 July 1948, shall contribute 1.65 per cent of the expenses of the Court for 1949 and 50 per cent of the assessment of 1.65 per cent of the expenses of the Court for 1948, these assessments having been established after consultation with the Swiss Government, in accordance with General Assembly resolution 91 (I) of 11 December 1946.

#### *16. Reparation for Injuries Suffered in the Service of the United Nations*

{The Assembly in this resolution submits to the International Court of Justice for an advisory opinion the question of whether or not the United Nations, in the event of its agent's suffering injury in circumstances involving responsibility of a state, has the capacity to bring an international claim against the responsible government to obtain the reparation due, in respect of the damage caused both to the United Nations and to the victim. A second question submitted to the Court involves the reconciliation of the interest of the United Nations with that of the state of which the victim was a national.

This resolution was adopted on December 3 by 53 affirmative votes.}

WHEREAS the series of tragic events which have lately befallen agents of the United Nations engaged in the performance of their duties raises, with greater urgency than ever, the question of the arrangements to be made by the United Nations with a view to ensuring to its agents the fullest measure of protection in the future and ensuring that reparation be made for the injuries suffered; and

WHEREAS it is highly desirable that the Secretary-General should be able to act without question as efficaciously as possible with a view to obtaining any reparation due; therefore

The General Assembly

*Decides* to submit the following questions to the International Court of Justice for an advisory opinion:

"I. In the event of an agent of the United Nations in the performance of his duties suffering injury in circumstances involving the responsibility of a State, has the United Nations, as an Organization, the capacity to bring an international claim against the responsible *de jure* or *de facto* Government with a view to obtaining the reparation due in respect of the damage caused (a) to the United Nations, (b) to the victim or to persons entitled through him?

"II. In the event of an affirmative reply on point I (b), how is action by the United Nations to be reconciled with such rights as may be possessed by the State of which the victim is a national?"

*Instructs* the Secretary-General, after the Court has given its opinion, to prepare proposals in the light of that opinion, and to submit them to the General Assembly at its next regular session.

### 17. *Draft Convention on Genocide*

{The Assembly, in three resolutions, adopted a convention on the prevention and punishment of the crime of genocide; invited the International Law Commission to study the desirability of establishing an international judicial organ for the trial of persons charged with genocide; and recommended the extension of the provisions of the convention to dependent territories under the administration of parties to the convention.

The convention proper was adopted unanimously; the resolution calling for study of the possibility of an international judicial organ was adopted by a vote of 43 to 6, with 3 abstentions; the third resolution, on the application of the convention to dependent territories, was adopted by a vote of 50 to 0, with 1 abstention. The action on the three resolutions was taken on December 9.]

#### I

#### RESOLUTION RELATING TO THE ADOPTION OF THE CONVENTION ON THE PREVENTION AND PUNISHMENT OF THE CRIME OF GENOCIDE, AND TEXT OF THE CONVENTION

The General Assembly

*Approves* the annexed Convention on the Prevention and Punishment of the Crime of Genocide and proposes it for signature and ratification or accession in accordance with its article XI.

## ANNEX

CONVENTION ON THE PREVENTION AND PUNISHMENT OF THE CRIME  
OF GENOCIDE

The Contracting Parties,

HAVING CONSIDERED the declaration made by the General Assembly of the United Nations in its resolution 96 (I) dated 11 December 1946 that genocide is a crime under international law, contrary to the spirit and aims of the United Nations and condemned by the civilized world;

RECOGNIZING that at all periods of history genocide has inflicted great losses on humanity; and

BEING CONVINCED that, in order to liberate mankind from such an odious scourge, international co-operation is required;

*Hereby agree as hereinafter provided:*

## ARTICLE I

The Contracting Parties confirm that genocide, whether committed in time of peace or in time of war, is a crime under international law which they undertake to prevent and to punish.

## ARTICLE II

In the present Convention, genocide means any of the following acts committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group, as such:

- (a) Killing members of the group;
- (b) Causing serious bodily or mental harm to members of the group;
- (c) Deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part;
- (d) Imposing measures intended to prevent births within the group;
- (e) Forcibly transferring children of the group to another group.

## ARTICLE III

The following acts shall be punishable:

- (a) Genocide;
- (b) Conspiracy to commit genocide;
- (c) Direct and public incitement to commit genocide;
- (d) Attempt to commit genocide;
- (e) Complicity in genocide.

## ARTICLE IV

Persons committing genocide or any of the other acts enumerated in article III shall be punished, whether they are constitutionally responsible rulers, public officials or private individuals.

## ARTICLE V

The Contracting Parties undertake to enact, in accordance with their respective Constitutions, the necessary legislation to give effect to the provisions of the present Convention and, in particular, to provide effective penalties for persons guilty of genocide or any of the other acts enumerated in Article III.

## ARTICLE VI

Persons charged with genocide or any of the other acts enumerated in article III shall be tried by a competent tribunal of the State in the territory of which the act was committed, or by such international penal tribunal as may have jurisdiction with respect to those Contracting Parties which shall have accepted its jurisdiction.

## ARTICLE VII

Genocide and the other acts enumerated in article III shall not be considered as political crimes for the purpose of extradition.

The Contracting Parties pledge themselves in such cases to grant extradition in accordance with their laws and treaties in force.

## ARTICLE VIII

Any Contracting Party may call upon the competent organs of the United Nations to take such action under the Charter of the United Nations as they consider appropriate for the prevention and suppression of acts of genocide or any of the other acts enumerated in article III.

## ARTICLE IX

Disputes between the Contracting Parties relating to the interpretation, application or fulfilment of the present Convention, including those relating to the responsibility of a State for genocide or any of the other acts enumerated in article III, shall be submitted to the



International Court of Justice at the request of any of the parties to the dispute.

#### ARTICLE X

The present Convention, of which the Chinese, English, French, Russian and Spanish texts are equally authentic, shall bear the date of . . . . .

#### ARTICLE XI

The present Convention shall be opened until 31 December 1949 for signature on behalf of any Member of the United Nations and of any non-member State to which an invitation to sign has been addressed by the General Assembly.

The present Convention shall be ratified, and the instruments of ratification shall be deposited with the Secretary-General of the United Nations.

After 1 January 1950 the present Convention may be acceded to on behalf of any Member of the United Nations and of any non-member State which has received an invitation as aforesaid.

Instruments of accession shall be deposited with the Secretary-General of the United Nations.

#### ARTICLE XII

Any Contracting Party may at any time, by notification addressed to the Secretary-General of the United Nations, extend the application of the present Convention to all or any of the territories for the conduct of whose foreign relations that Contracting Party is responsible.

#### ARTICLE XIII

On the day when the first twenty instruments of ratification or accession have been deposited, the Secretary-General shall draw up a procès-verbal and transmit a copy of it to each Member of the United Nations and to each of the non-member States contemplated in article XI.

The present Convention shall come into force on the ninetieth day following the date of deposit of the twentieth instrument of ratification or accession.

Any ratification or accession effected subsequent to the latter date shall become effective on the ninetieth day following the deposit of the instrument of ratification or accession.

## ARTICLE XIV

The present Convention shall remain in effect for a period of ten years as from the date of its coming into force.

It shall thereafter remain in force for successive periods of five years for such Contracting Parties as have not denounced it at least six months before the expiration of the current period.

Denunciation shall be effected by a written notification addressed to the Secretary-General of the United Nations.

## ARTICLE XV

If, as a result of denunciations, the number of Parties to the present Convention should become less than sixteen, the Convention shall cease to be in force as from the date on which the last of these denunciations shall become effective.

## ARTICLE XVI

A request for the revision of the present Convention may be made at any time by any Contracting Party by means of a notification in writing addressed to the Secretary-General.

The General Assembly shall decide upon the steps, if any, to be taken in respect of such request.

## ARTICLE XVII

The Secretary-General of the United Nations shall notify all Members of the United Nations and the non-member States contemplated in article XI of the following:

- (a) Signatures, ratifications and accessions received in accordance with article XI;
- (b) Notifications received in accordance with article XII;
- (c) The date upon which the present Convention comes into force in accordance with article XIII;
- (d) Denunciations received in accordance with article XIV;
- (e) The abrogation of the Convention in accordance with article XV;
- (f) Notifications received in accordance with article XVI.

## ARTICLE XVIII

The original of the present Convention shall be deposited in the archives of the United Nations.

A certified copy of the Convention shall be transmitted to all Members of the United Nations and to the non-member States contemplated in article XI.

#### ARTICLE XIX

The present Convention shall be registered by the Secretary-General of the United Nations on the date of its coming into force.

#### II

#### RESOLUTION RELATING TO THE STUDY BY THE INTERNATIONAL LAW COMMISSION OF THE QUESTION OF AN INTERNATIONAL CRIMINAL JURISDICTION

The General Assembly,

CONSIDERING that the discussion of the Convention on the Prevention and Punishment of the Crime of Genocide has raised the question of the desirability and possibility of having persons charged with genocide tried by a competent international tribunal,

CONSIDERING that, in the course of development of the international community, there will be an increasing need of an international judicial organ for the trial of certain crimes under international law,

*Invites* the International Law Commission to study the desirability and possibility of establishing an international judicial organ for the trial of persons charged with genocide or other crimes over which jurisdiction will be conferred upon that organ by international conventions;

*Requests* the International Law Commission in carrying out this task to pay attention to the possibility of establishing a Criminal Chamber of the International Court of Justice.

#### III

#### RESOLUTION RELATING TO THE APPLICATION OF THE CONVENTION ON THE PREVENTION AND PUNISHMENT OF THE CRIME OF GENOCIDE WITH RESPECT TO DEPENDENT TERRITORIES

The General Assembly

*Recommends* that Parties to the Convention on the Prevention and Punishment of the Crime of Genocide which administer dependent territories, should take such measures as are necessary and feasible to enable the provisions of the Convention to be extended to those territories as soon as possible.

## B. Resolution Adopted at the Second Special Session

### 18. *Appointment and Terms of Reference of a United Nations Mediator in Palestine*

[This resolution affirms the support of the General Assembly for the efforts of the Security Council to secure a truce in Palestine, calling upon all governments, organizations, and persons to cooperate in the truce; provides for the appointment of a United Nations Mediator; empowers the Mediator to exercise certain functions in connection with Palestine; and relieves the Palestine Commission from the further exercise of responsibilities under the resolution on the partition of Palestine adopted on November 29, 1947, at the Second Regular Session of the Assembly.

It was adopted at the Second Special Session of the General Assembly, May 15, 1948, by a vote of 31 to 7, with 16 abstentions.]

The General Assembly,

TAKING ACCOUNT of the present situation in regard to Palestine,

#### I

*Strongly affirms* its support of the efforts of the Security Council to secure a truce in Palestine and calls upon all Governments, organizations and persons to co-operate in making effective such a truce ;

#### II

1. *Empowers* a United Nations Mediator in Palestine, to be chosen by a committee of the General Assembly composed of representatives of China, France, the Union of Soviet Socialist Republics, the United Kingdom and the United States of America, to exercise the following functions :

(a) To use his good offices with the local and community authorities in Palestine to :

(i) Arrange for the operation of common services necessary to the safety and well-being of the population of Palestine ;

(ii) Assure the protection of the Holy Places, religious buildings and sites in Palestine ;

(iii) Promote a peaceful adjustment of the future situation of Palestine ;

(b) To co-operate with the Truce Commission for Palestine appointed by the Security Council in its resolution of 23 April 1948 ;

(c) To invite, as seems to him advisable, with a view to the promotion of the welfare of the inhabitants of Palestine, the assistance and co-operation of appropriate specialized agencies of the United Nations, such as the World Health Organization, of the International Red Cross, and of other governmental or non-governmental organizations of a humanitarian and non-political character;

2. *Instructs* the United Nations Mediator to render progress reports monthly, or more frequently as he deems necessary, to the Security Council and to the Secretary-General for transmission to the Members of the United Nations;

3. *Directs* the United Nations Mediator to conform in his activities with the provisions of this resolution, and with such instructions as the General Assembly or the Security Council may issue;

4. *Authorizes* the Secretary-General to pay the United Nations Mediator an emolument equal to that paid to the President of the International Court of Justice, and to provide the Mediator with the necessary staff to assist in carrying out the functions assigned to the Mediator by the General Assembly;

### III

*Relieves* the Palestine Commission from the further exercise of responsibilities under resolution 181 (II) of 29 November 1947.

## SELECTED RESOLUTIONS OF THE SECURITY COUNCIL AND RELATED DOCUMENTS

### 1. *Resolutions on Palestine*

[The following resolution, concerning a truce in Palestine, was adopted by the Security Council on April 17, 1948, by a vote of 9 to 0. The Ukrainian Soviet Socialist Republic and the Union of Soviet Socialist Republics abstained.]

CONSIDERING the Council's Resolution of 1 April 1948 and the conversations held by its President with the representatives of the Jewish Agency for Palestine and the Arab Higher Committee with a view to arranging a truce between Arabs and Jews in Palestine;

CONSIDERING that, as stated in that Resolution, it is of the utmost urgency to bring about the immediate cessation of acts of violence in Palestine, and to establish conditions of peace and order in that country;

CONSIDERING that the United Kingdom Government, so long as it remains the Mandatory Power, is responsible for the maintenance of peace and order in Palestine and should continue to take all steps necessary to that end; and that, in so doing, it should receive the co-operation and support of the Security Council in particular as well as of all the Members of the United Nations;

The Security Council:

1. *Calls upon* all persons and organizations in Palestine and especially upon the Arab Higher Committee and the Jewish Agency to take immediately, without prejudice to their rights, claims, or positions, and as a contribution to the well-being and permanent interests of Palestine, the following measures:

(a) Cease all activities of a military or para-military nature, as well as acts of violence, terrorism and sabotage;

(b) Refrain from bringing and from assisting and encouraging the entry into Palestine of armed bands and fighting personnel, groups and individuals, whatever their origin;

(c) Refrain from importing or acquiring or assisting or encouraging the importation or acquisition of weapons and war materials;

(d) Refrain, pending further consideration of the future government of Palestine by the General Assembly, from any political activity which might prejudice the rights, claims, or positions of either community;

(e) Co-operate with the Mandatory authorities for the effective maintenance of law and order and of essential services, particularly those relating to transportation, communications, health, and food and water supplies;

(f) Refrain from any action which will endanger the safety of the Holy Places in Palestine and from any action which would interfere with access to all shrines and sanctuaries for the purpose of worship by those who have an established right to visit and worship at them.

2. *Requests* the United Kingdom Government, for so long as it remains the Mandatory Power, to use its best efforts to bring all those concerned in Palestine to accept the measures set forth under paragraph 1 above and, subject to retaining the freedom of action of its own forces, to supervise the execution of these measures by all those concerned, and to keep the Security Council and the General Assembly currently informed on the situation in Palestine.

3. *Calls upon* all Governments and particularly those of the countries neighbouring Palestine to take all possible steps to assist in the implementation of the measures set out under paragraph 1 above, and particularly those referring to the entry into Palestine of armed bands and fighting personnel, groups and individuals and weapons and war materials.

[The following resolution, calling for a cease-fire in Palestine and requesting the Truce Commission to give the highest priority to the negotiation and maintenance of a truce in the city of Jerusalem, was adopted by the Security Council on May 22, 1948, by a vote of 8 to 0. Syria, the Ukrainian Soviet Socialist Republic, and the Union of Soviet Socialist Republics abstained.]

#### The Security Council

TAKING INTO CONSIDERATION that previous resolutions of the Security Council in respect to Palestine have not been complied with and that military operations are taking place in Palestine;

*Calls upon* all Governments and authorities, without prejudice to the rights, claims or position of the parties concerned, to abstain from any hostile military action in Palestine and to that end to issue a cease-fire order to their military and para-military forces to become effective within thirty-six hours after midnight New York standard time, 22 May 1948;

*Calls upon* the Truce Commission and upon all parties concerned to give the highest priority to the negotiation and maintenance of a truce in the City of Jerusalem;

*Directs* the Truce Commission established by the Security Council by its resolution of 23 April 1948 to report to the Security Council on the compliance with the two preceding paragraphs of this resolution;

*Calls upon* all parties concerned to facilitate by all means in their power the task of the United Nations Mediator appointed in execution of the resolution of the General Assembly of 14 May 1948.

[This resolution, calling for a four-week cessation of all acts of armed force in Palestine, was adopted by the Security Council May 29, 1948.]

The Security Council,

DESIRING to bring about a cessation of hostilities in Palestine without prejudice to the rights, claims and position of either Arabs or Jews,

*Calls upon* all Governments and authorities concerned to order a cessation of all acts of armed force for a period of four weeks,

*Calls upon* all Governments and authorities concerned to undertake that they will not introduce fighting personnel into Palestine, Egypt, Iraq, Lebanon, Saudi Arabia, Syria, Transjordan and Yemen during the cease fire and

*Calls upon* all Governments and authorities concerned, should men of military age be introduced into countries or territories under their control, to undertake not to mobilize or submit them to military training during the cease fire,

*Calls upon* all Governments and authorities concerned to refrain from importing or exporting war material into or to Palestine, Egypt, Iraq, Lebanon, Saudi Arabia, Syria, Transjordan and Yemen during the cease fire,

*Urges* all Governments and authorities concerned to take every possible precaution for the protection of the Holy Places and of the City of Jerusalem, including access to all shrines and sanctuaries for the purpose of worship by those who have an established right to visit and worship at them,

*Instructs* the United Nations Mediator for Palestine in concert with the Truce Commission to supervise the observance of the above provisions, and decides that they shall be provided with a sufficient number of military observers,

*Instructs* the United Nations Mediator to make contact with all parties as soon as the cease fire is in force with a view to carrying out his functions as determined by the General Assembly,



*Calls upon* all concerned to give the greatest possible assistance to the United Nations Mediator,

*Instructs* the United Nations Mediator to make a weekly report to the Security Council during the cease fire,

*Invites* the States Members of the Arab League and the Jewish and Arab authorities in Palestine to communicate their acceptance of this resolution to the Security Council not later than 6.00 p. m. New York Standard Time on 1 June 1948,

*Decides* that if the present resolution is rejected by either party or by both, or if, having been accepted, it is subsequently repudiated or violated, the situation in Palestine will be reconsidered with a view to action under Chapter VII of the Charter,

*Calls upon* all Governments to take all possible steps to assist in the implementation of this resolution.

[The following resolution, ordering a cease-fire in Palestine and in Jerusalem and giving certain instructions to the Mediator, was adopted by the Security Council July 15, 1948, by a vote of 7 to 1 (Syria). Argentina, the Ukrainian Soviet Socialist Republic, and the Union of Soviet Socialist Republics abstained.]

#### The Security Council

TAKING INTO CONSIDERATION that the Provisional Government of Israel has indicated its acceptance in principle of a prolongation of the truce in Palestine; that the States members of the Arab League have rejected successive appeals of the United Nations Mediator, and of the Security Council in its resolution of 7 July 1948, for the prolongation of the truce in Palestine; and that there has consequently developed a renewal of hostilities in Palestine;

*Determines* that the situation in Palestine constitutes a threat to the peace within the meaning of Article 39 of the Charter;

*Orders the* Governments and authorities concerned, pursuant to Article 40 of the Charter of the United Nations, to desist from further military action and to this end to issue cease-fire orders to their military and para-military forces, to take effect at a time to be determined by the Mediator, but in any event not later than three days from the date of the adoption of this resolution;

*Declares* that failure by any of the Governments or authorities concerned to comply with the preceding paragraph of this resolution would demonstrate the existence of a breach of the peace within the meaning of Article 39 of the Charter requiring immediate consideration by the Security Council with a view to such further action under Chapter VII of the Charter as may be decided upon by the Council;

*Calls upon* all Governments and authorities concerned to continue to co-operate with the Mediator with a view to the maintenance of peace in Palestine in conformity with the resolution adopted by the Security Council on 29 May 1948;

*Orders* as a matter of special and urgent necessity an immediate and unconditional cease-fire in the City of Jerusalem to take effect 24 hours from the time of the adoption of this resolution, and instructs the Truce Commission to take any necessary steps to make this cease-fire effective;

*Instructs* the Mediator to continue his efforts to bring about the demilitarization of the City of Jerusalem, without prejudice to the future political status of Jerusalem, and to assure the protection of and access to the Holy Places, religious buildings and sites in Palestine;

*Instructs* the Mediator to supervise the observance of the truce and to establish procedures for examining alleged breaches of the truce since 11 June 1948, authorizes him to deal with breaches so far as it is within his capacity to do so by appropriate local action, and requests him to keep the Security Council currently informed concerning the operation of the truce and when necessary to take appropriate action;

*Decides* that, subject to further decision by the Security Council or the General Assembly, the truce shall remain in force, in accordance with the present resolution and with that of 29 May 1948, until a peaceful adjustment of the future situation of Palestine is reached;

*Reiterates* the appeal to the parties contained in the last paragraph of its resolution of 22 May and urges upon the parties that they continue conversations with the Mediator in a spirit of conciliation and mutual concession in order that all points under dispute may be settled peacefully;

*Requests* the Secretary-General to provide the Mediator with the necessary staff and facilities to assist in carrying out the functions assigned to him under the resolution of the General Assembly of 14 May, and under this resolution; and

*Requests* that the Secretary-General make appropriate arrangements to provide necessary funds to meet the obligations arising from this resolution.

[The following resolution, submitted jointly by the representatives of Canada, France, the United Kingdom, and the United States, and following up the action of July 15, was adopted by the Security Council August 19, 1948.]

The Security Council,

TAKING into account communications from the Mediator concerning the situation in Jerusalem,

*Directs* the attention of the governments and authorities concerned to the Resolution of the Security Council of 15 July 1948, and

*Decides* pursuant to its Resolution of 15 July 1948, and so informs the governments and authorities concerned, that:

(a) Each party is responsible for the actions of both regular and irregular forces operating under its authority or in territory under its control;

(b) Each party has the obligation to use all means at its disposal to prevent action violating the Truce by individuals or groups who are subject to its authority or who are in territory under its control;

(c) Each party has the obligation to bring to speedy trial and in case of conviction to punishment, any and all persons within their jurisdiction who are involved in a breach of the Truce;

(d) No party is permitted to violate the Truce on the ground that it is undertaking reprisals or retaliations against the other party;

(e) No party is entitled to gain military or political advantage through violation of the Truce.

[This resolution, calling upon the interested governments to withdraw certain forces which have advanced beyond the positions held October 14 and to establish, through direct negotiation or through the intermediaries of the United Nations permanent truce lines and neutral zones, was adopted by the Security Council November 4, 1948, by a vote of 9 to 1 (Ukrainian Soviet Socialist Republic). The Union of Soviet Socialist Republics abstained.]

The Security Council,

HAVING DECIDED on the 15th July that, subject to further decision by the Security Council or the General Assembly, the truce shall remain in force in accordance with the resolution of that date and with that of 29th May 1948 until a peaceful adjustment of the future situation of Palestine is reached;

HAVING DECIDED on the 19th August that no party is permitted to violate the truce on the ground that it is undertaking reprisals or retaliations against the other party, and that no party is entitled to gain military or political advantage through violation of the truce; and

HAVING DECIDED on the 29th May that, if the truce was subsequently repudiated or violated by either party or by both, the situation in Palestine could be reconsidered with a view to action under Chapter VII of the Charter;

*Takes note of* the request communicated to the Government of Egypt and the Provisional Government of Israel by the Acting Mediator on the 26th October (S/1058) following upon the resolution adopted by the Security Council on 19th October 1948; and

*Calls upon* the interested Governments, without prejudice to their rights, claims or position with regard to a peaceful adjustment of the future situation of Palestine or to the position which the Members of the United Nations may wish to take in the General Assembly on such peaceful adjustment:

(1) To withdraw those of their forces which have advanced beyond the positions held on 14th October, the Acting Mediator being authorized to establish provisional lines beyond which no movement of troops shall take place;

(2) To establish, through negotiations conducted directly between the parties, or failing that, through the intermediaries in the service of the United Nations, permanent truce lines and such neutral or demilitarized zones as may appear advantageous, in order to ensure henceforth the full observance of the truce in that area. Failing on agreement, the permanent lines and neutral zones shall be established by decision of the Acting Mediator; and

*Appoints* a Committee of the Council, consisting of the five permanent Members together with Belgium and Colombia, to give such advice as the Acting Mediator may require with regard to his responsibilities under this resolution, and in the event that either party or both should fail to comply with sub-paragraphs (1) and (2) of the preceding paragraph of this resolution within whatever time limits the Acting Mediator may think it desirable to fix to study as a matter of urgency and to report to the Council on further measures it would be appropriate to take under Chapter VII of the Charter.

{The following resolution, providing for the immediate establishment of an armistice in Palestine, was adopted by the Security Council November 16, 1948.}

#### The Security Council

REAFFIRMING its previous resolutions concerning the establishment and implementation of the Truce in Palestine and, recalling particularly its Resolution of 15 July 1948 which determined that the situation in Palestine constitutes a threat to the peace within the meaning of Article 39 of the Charter;

TAKING NOTE that the General Assembly is continuing its consideration of the future government of Palestine in response to the request of the Security Council of 1 April 1948 (document S/714);

WITHOUT PREJUDICE to the actions of the Acting Mediator regarding the implementation of the Resolution of the Security Council of 4 November 1948;

*Decides* that, in order to eliminate the threat to the peace in Palestine and to facilitate the transition from the present Truce to permanent peace in Palestine, an armistice shall be established in all sectors of Palestine;

*Calls upon* the parties directly involved in the conflict in Palestine as a further provisional measure under Article 40 of the Charter, to seek agreement forthwith, by negotiations conducted either directly or through the Acting Mediator on Palestine, with a view to the immediate establishment of the Armistice including:

- (a) the delineation of permanent armistice demarcation lines beyond which the armed forces of the respective parties shall not move;
- (b) such withdrawal and reduction of their armed forces as will ensure the maintenance of the armistice during the transition to permanent peace in Palestine.

[This resolution, which takes into account the report of the Acting Mediator on the hostilities in southern Palestine, calls upon the Governments concerned for certain action and provides for consideration of the situation by the Committee of the Council set up by the resolution of November 4, was adopted by the Security Council December 29, 1948.]

The Security Council,

HAVING CONSIDERED the report of the Acting Mediator (document S/1152) on the hostilities which broke out in Southern Palestine on the 22 December,

*Calls upon* the Governments concerned:

- (i) to order an immediate cease-fire;
- (ii) to implement without further delay the resolution of the 4 November and the instructions issued by the Acting Mediator in accordance with paragraph 5 (1) of that resolution; and
- (iii) to allow and facilitate the complete supervision of the truce by the United Nations observers;

*Instructs* the Committee of the Council appointed on the 4 November to meet at Lake Success on the 7 January to consider the situation in Southern Palestine and to report to the Council on the extent to which the Governments concerned have by that date complied with the present resolution and with the resolutions of 4 and 16 November;

*Invites* Cuba and Norway to replace as from 1 January the two retiring members of the Committee (Belgium and Colombia); and

*Expresses the hope* that the members of the Conciliation Commission appointed by the General Assembly on the 11 December will nominate their representatives and establish the Commission with as little delay as possible.

## 2. Resolutions on the Kashmir Case

[The following resolution, submitted jointly by the representatives of Belgium, Canada, China, Colombia, the United Kingdom, and the United States, providing for the operation and setting forth certain functions of the Kashmir Commission in relation to the dispute between India and Pakistan over the State of Jammu and Kashmir, was adopted by the Security Council April 21, 1948.]

The Security Council,

HAVING CONSIDERED the complaint of the Government of India concerning the dispute over the State of Jammu and Kashmir, having heard the representative of India in support of that complaint and the reply and counter complaints of the representative of Pakistan,

BEING strongly of opinion that the early restoration of peace and order in Jammu and Kashmir is essential and that India and Pakistan should do their utmost to bring about a cessation of all fighting,

NOTING with satisfaction that both India and Pakistan desire that the question of the accession of Jammu and Kashmir to India or Pakistan should be decided through the democratic method of a free and impartial plebiscite,

CONSIDERING that the continuation of the dispute is likely to endanger international peace and security;

*Reaffirms* the Council's Resolution of January 17th,

*Resolves* that the membership of the Commission established by the Resolution of the Council of January 20th, 1948, shall be increased to five and shall include in addition to the membership mentioned in that Resolution, representatives of Belgium and Colombia and that if the membership of the Commission has not been completed within ten days from the date of the adoption of this Resolution the President of the Council may designate such other Member or Members of the United Nations as are required to complete the membership of five,

*Instructs* the Commission to proceed at once to the Indian sub-continent and there place its good offices and mediation at the disposal of the Governments of India and Pakistan with a view to facilitating

the taking of the necessary measures, both with respect to the restoration of peace and order and to the holding of a plebiscite by the two Governments, acting in co-operation with one another and with the Commission and further instructs the Commission to keep the Council informed of the action taken under the Resolution, and to this end,

*Recommends* to the Governments of India and Pakistan the following measures as those which in the opinion of the Council are appropriate to bring about a cessation of the fighting and to create proper conditions for a free and impartial plebiscite to decide whether the State of Jammu and Kashmir is to accede to India or Pakistan.

#### A. *Restoration of Peace and Order*

1. The Government of Pakistan should undertake to use its best endeavours:

(a) To secure the withdrawal from the State of Jammu and Kashmir of tribesmen and Pakistani nationals not normally resident therein who have entered the state for the purposes of fighting and to prevent any intrusion into the State of such elements and any furnishing of material aid to those fighting in the State.

(b) To make known to all concerned that the measures indicated in this and the following paragraphs provide full freedom to all subjects of the State, regardless of creed, caste, or party, to express their views and to vote on the question of the accession of the State, and that therefore they should co-operate in the maintenance of peace and order.

2. The Government of India should:

(a) When it is established to the satisfaction of the Commission set up in accordance with the Council's Resolution of 20 January that the tribesmen are withdrawing and that arrangements for the cessation of the fighting have become effective, put into operation in consultation with the Commission a plan for withdrawing their own forces from Jammu and Kashmir and reducing them progressively to the minimum strength required for the support of the civil power in the maintenance of law and order,

(b) Make known that the withdrawal is taking place in stages and announce the completion of each stage;

(c) When the Indian forces shall have been reduced to the minimum strength mentioned in (a) above, arrange in consultation with the Commission for the stationing of the remaining forces to be carried out in accordance with the following principles:

(i) That the presence of troops should not afford any intimidation or appearance of intimidation to the inhabitants of the State,

- (ii) That as small a number as possible should be retained in forward areas,
- (iii) That any reserve of troops which may be included in the total strength should be located within their present Base area.

3. The Government of India should agree that until such time as the plebiscite administration referred to below finds it necessary to exercise the powers of direction and supervision over the State forces and police provided for in Paragraph 8 they will be held in areas to be agreed upon with the Plebiscite Administrator.

4. After the plan referred to in paragraph 2 (a) above has been put into operation, personnel recruited locally in each district should so far as possible be utilized for the re-establishment and maintenance of law and order with due regard to protection of minorities, subject to such additional requirements as may be specified by the Plebiscite Administration referred to in paragraph 7.

5. If these local forces should be found to be inadequate, the Commission, subject to the agreement of both the Government of India and the Government of Pakistan, should arrange for the use of such forces of either Dominion as it deems effective for the purpose of pacification.

#### B. *Plebiscite*

6. The Government of India should undertake to ensure that the Government of the State invite the major political groups to designate responsible representatives to share equitably and fully in the conduct of the administration at the Ministerial level, while the plebiscite is being prepared and carried out.

7. The Government of India should undertake that there will be established in Jammu and Kashmir a Plebiscite Administration to hold a Plebiscite as soon as possible on the question of the accession of the State to India or Pakistan.

8. The Government of India should undertake that there will be delegated by the State to the Plebiscite Administration such powers as the latter considers necessary for holding a fair and impartial plebiscite including, for that purpose only, the direction and supervision of the State forces and police.

9. The Government of India should at the request of the Plebiscite Administration make available from the Indian forces such assistance as the Plebiscite Administration may require for the performance of its functions.

10. (a) The Government of India should agree that a nominee of the Secretary-General of the United Nations will be appointed to be the Plebiscite Administrator.



(b) The Plebiscite Administrator, acting as an officer of the State of Jammu and Kashmir, should have authority to nominate his Assistants and other subordinates and to draft regulations governing the Plebiscite. Such nominees should be formally appointed and such draft regulations should be formally promulgated by the State of Jammu and Kashmir.

(c) The Government of India should undertake that the Government of Jammu and Kashmir will appoint fully qualified persons nominated by the Plebiscite Administrator to act as special magistrates within the State judicial system to hear cases which in the opinion of the Plebiscite Administrator have a serious bearing on the preparation for and the conduct of a free and impartial plebiscite.

(d) The terms of service of the Administrator should form the subject of a separate negotiation between the Secretary-General of the United Nations and the Government of India. The Administrator should fix the terms of service for his Assistants and subordinates.

(e) The Administrator should have the right to communicate direct with the Government of the State and with the Commission of the Security Council and, through the Commission with the Security Council, with the Governments of India and Pakistan and with their Representatives with the Commission. It would be his duty to bring to the notice of any or all of the foregoing (as he in his discretion may decide) any circumstances arising which may tend, in his opinion, to interfere with the freedom of the Plebiscite.

11. The Government of India should undertake to prevent and to give full support to the Administrator and his staff in preventing any threat, coercion or intimidation, bribery or other undue influence on the voters in the plebiscite, and the Government of India should publicly announce and should cause the Government of the State to announce this undertaking as an international obligation binding on all public authorities and officials in Jammu and Kashmir.

12. The Government of India should themselves and through the Government of the State declare and make known that all subjects of the State of Jammu and Kashmir, regardless of creed, caste or party, will be safe and free in expressing their views and in voting on the question of the accession of the State and that there will be freedom of the press, speech and assembly and freedom of travel in the State, including freedom of lawful entry and exit.

13. The Government of India should use and should ensure that the Government of the State also use their best endeavours to effect the withdrawal from the State of all Indian nationals other than those who are normally resident therein or who on or since 15 August 1947 have entered it for a lawful purpose.

14. The Government of India should ensure that the Government of the State release all political prisoners and take all possible steps so that :

- (a) all citizens of the State who have left it on account of disturbances are invited, and are free, to return to their homes and to exercise their rights as such citizens;
- (b) there is no victimization;
- (c) minorities in all parts of the State are accorded adequate protection.

15. The Commission of the Security Council should at the end of the plebiscite certify to the Council whether the plebiscite has or has not been really free and impartial.

### C. *General Provisions*

16. The Governments of India and Pakistan should each be invited to nominate a Representative to be attached to the Commission for such assistance as it may require in the performance of its task.

17. The Commission should establish in Jammu and Kashmir such observers as it may require of any of the proceedings in pursuance of the measures indicated in the foregoing paragraphs.

18. The Security Council Commission should carry out the tasks assigned to it herein.

[The following resolution for a cease-fire order and truce agreement was adopted by the United Nations Commission for India and Pakistan on August 13, 1948.]

The United Nations Commission for India and Pakistan

HAVING GIVEN careful consideration to the points of view expressed by the Representatives of India and Pakistan regarding the situation in the State of Jammu and Kashmir, and

BEING of the opinion that the prompt cessation of hostilities and the correction of conditions the continuance of which is likely to endanger international peace and security are essential to implementation of its endeavours to assist the Governments of India and Pakistan in effecting a final settlement of the situation,

*Resolves* to submit simultaneously to the Governments of India and Pakistan the following proposal :

### PART I

#### *Cease-fire order*

A. The Governments of India and Pakistan agree that their respective High Commands will issue separately and simultaneously a cease-fire order to apply to all forces under their control in the State of

Jammu and Kashmir as of the earliest practicable date or dates to be mutually agreed upon within four days after these proposals have been accepted by both Governments.

B. The High Commands of the Indian and Pakistan forces agree to refrain from taking any measures that might augment the military potential of the forces under their control in the State of Jammu and Kashmir.

(For the purpose of these proposals "forces under their control" shall be considered to include all forces, organised and unorganised, fighting or participating in hostilities on their respective sides).

C. The Commanders-in-Chief of the forces of India and Pakistan shall promptly confer regarding any necessary local changes in present dispositions which may facilitate the cease-fire.

D. In its discretion and as the Commission may find practicable, the Commission will appoint military observers who under the authority of the Commission and with the cooperation of both Commands will supervise the observance of the cease-fire order.

E. The Government of India and the Government of Pakistan agree to appeal to their respective peoples to assist in creating and maintaining an atmosphere favourable to the promotion of further negotiations.

## PART II

### *Truce Agreement*

Simultaneously with the acceptance of the proposal for the immediate cessation of hostilities as outlined in Part I, both Governments accept the following principles as a basis for the formulation of a truce agreement, the details of which shall be worked out in discussion between their Representatives and the Commission.

### A.

1. As the presence of troops of Pakistan in the territory of the State of Jammu and Kashmir constitutes a material change in the situation since it was represented by the Government of Pakistan before the Security Council, the Government of Pakistan agrees to withdraw its troops from that State.

2. The Government of Pakistan will use its best endeavour to secure the withdrawal from the State of Jammu and Kashmir of tribesmen and Pakistan nationals not normally resident therein who have entered the State for the purpose of fighting.

3. Pending a final solution, the territory evacuated by the Pakistan troops will be administered by the local authorities under the surveillance of the Commission.

## B.

1. When the Commission shall have notified the Government of India that the tribesmen and Pakistan nationals referred to in Part II A2 hereof have withdrawn, thereby terminating the situation which was represented by the Government of India to the Security Council as having occasioned the presence of Indian forces in the State of Jammu and Kashmir, and further, that the Pakistan forces are being withdrawn from the State of Jammu and Kashmir, the Government of India agrees to begin to withdraw the bulk of their forces from that State in stages to be agreed upon with the Commission.

2. Pending the acceptance of the conditions for a final settlement of the situation in the State of Jammu and Kashmir, the Indian Government will maintain within the lines existing at the moment of the cease-fire those forces of its Army which in agreement with the Commission are considered necessary to assist local authorities in the observance of law and order. The Commission will have observers stationed where it deems necessary.

3. The Government of India will undertake to ensure that the Government of the State of Jammu and Kashmir will take all measures within their power to make it publicly known that peace, law and order will be safeguarded and that all human and political rights will be guaranteed.

## C.

1. Upon signature, the full text of the Truce Agreement or a communique containing the principles thereof as agreed upon between the two Governments and the Commission, will be made public.

## PART III

The Government of India and the Government of Pakistan reaffirm their wish that the future status of the State of Jammu and Kashmir shall be determined in accordance with the will of the people and to that end, upon acceptance of the Truce Agreement both Governments agree to enter into consultations with the Commission to determine fair and equitable conditions whereby such free expression will be assured.

### 3. Resolutions and Other Documents on the Indonesian Case

TRUCE AGREEMENT BETWEEN THE GOVERNMENTS OF THE KINGDOM OF THE NETHERLANDS AND OF THE REPUBLIC OF INDONESIA, SIGNED JANUARY 17, 1948

The Government of the Kingdom of the Netherlands and the Government of the Republic of Indonesia, referred to in this agreement as the parties, hereby agree as follows :

1. That a stand fast and cease fire order be issued separately and simultaneously by both parties immediately upon the signing of this agreement and to be fully effective within forty-eight hours. This order will apply to the troops of both parties along the boundary lines of the areas described in the production of the Netherlands Indies Government on 29 August 1947, which shall be called *status quo* line, and in the areas specified in the following paragraph.

2. That in the first instance and for the time being, demilitarized zones be established in general conformity with the above-mentioned *status quo* line; these zones as a rule will comprise the territories between this *status quo* line and, on one side, the line of the Netherlands forward positions and, on the other side, the line of the Republican forward positions, the average width of each of the zones being approximately the same.

3. That the establishment of the demilitarized zones in no way prejudices the rights, claims or position of the parties under the resolutions of the Security Council of 1, 25, and 26 August and 1 November 1947.

4. That upon acceptance of the foregoing by both parties, the Committee will place at the disposal of both parties its military assistants who will be instructed to assume, in the first instance, responsibility for determining whether any incident requires enquiry by the higher authorities of either or both parties.

5. That, pending a political settlement, the responsibility for the maintenance of law and order and of security of life and property in the demilitarized zones will remain vested in the civil police forces of the respective parties. (The term civil police does not exclude the temporary use of military personnel in the capacity of civil police, it being understood that the police forces will be under civil control.) The Committee's military assistants will be available to advise the appropriate authorities of the parties and to serve in such other proper capacities as may be requested. Among other, they should;

(a) call upon pools of police officers established by each party in its demilitarized zone to accompany the military assistants in their endeavours and moves throughout that demilitarized zone. Police officers of one party will not move into and throughout the demilitarized zone of the other party unless accompanied by a military assistant of the Committee of Good Offices and a police officer of that other party.

(b) promote co-operation between the two police forces.

6. That trade and intercourse between all areas should be permitted as far as possible; such restrictions as may be necessary will be agreed upon by the parties with the assistance of the Committee and its representatives if required.

7. That this agreement shall include all the following points already agreed to in principle by the parties :

(a) To prohibit sabotage, intimidation and reprisals and other activities of a similar nature against individuals, groups of individuals, and property, including destruction of property of any kind and by whomsoever owned, and to utilize every means at their command to this end.

(b) To refrain from broadcasts or any other form of propaganda aimed at provoking or disturbing troops and civilians.

(c) To initiate broadcasts and institute other measures to inform all troops and civilians of the delicate situation and the necessity for strict compliance with the provisions sub (a) and (b).

(d) Full opportunity for observation by military and civil assistants made available to the Committee of Good Offices.

(e) To cease immediately the publication of a daily operational communique or any other information about military operations unless by prior mutual agreement in writing, except weekly publication of lists of individuals (giving names, numbers and home addresses) who have been killed or have died as a result of injuries received in action.

(f) To accept the principle of the release of prisoners by each party and to commence discussions with a view to the most rapid and convenient implementation thereof, the release in principle to be without regard to the number of prisoners held by either party.

8. That, on the acceptance of the foregoing, the Committee's military assistants will immediately conduct enquiries to establish whether and where, especially in West Java, elements of the Republican military forces continue to offer resistance behind the present forward positions of the Netherlands forces. If the enquiry establishes the existence of such forces, these would withdraw as quickly as prac-

ticable, and in any case within twenty-one days, as set out in the following paragraph.

9. That all forces of each party in any area accepted as a demilitarized zone or in any area on the other party's side of a demilitarized zone, will, under the observation of military assistants of the Committee and with arms and warlike equipment, move peacefully to the territory on the party's own side of the demilitarized zones. Both parties undertake to facilitate a speedy and peaceful evacuation of the forces concerned.

10. This agreement shall be considered binding unless one party notifies the Committee of Good Offices and the other party that it considers the truce regulations are not being observed by the other party and that this agreement should therefore be terminated.

For the Government of the Kingdom of the Netherlands

RADEN ABDULKADIR WIDJOJOATMODJO,

*Chairman of the delegation*

For the Government of the Republic of Indonesia

DR. AMIR SJARIFUDDIN,

*Chairman of the delegation*

The signatures appearing above were hereunto subscribed this 17th day of January 1948, on board the U. S. S. *Renville*, in the presence of the representatives on the United Nations Security Council Committee of Good Offices on the Indonesian question, and the Committee Secretary, whose signatures are hereunto subscribed as witnesses:

Chairman:	MR. JUSTICE RICHARD C. KIRBY (Australia)
Representatives:	MR. PAUL VAN ZEELAND (Belgium) DR. FRANK P. GRAHAM (United States)
Secretary:	MR. T. G. NARAYANAN

ANNEX: CLARIFICATION OF THE AGREEMENT

1. As regards paragraph 1 of the foregoing agreement, it is understood that the two parties will endeavor to implement the various points of the truce agreement without any delay and with all means at their disposal; it is equally understood that, should one of the parties meet with special difficulties in carrying out fully within a few days any obligation imposed upon it by the truce agreement, upon notification to the other party the time limit of forty-eight (48) hours pro-

vided in the first article of the proposals will be extended up to a maximum of twelve (12) days.

2. As regards paragraph 2 of the foregoing agreement, it is understood that if, as expected, the truce agreement is increasingly implemented and the general situation continues to develop favourably, the demilitarized zones will, as a matter of course, be further extended. The question of an extension of demilitarized zones will upon the request of either party, be considered forthwith by the Committee's military assistants who, acting within the intent of paragraph 5, will advise the appropriate authorities.

3. As regards paragraph 4 of the foregoing agreement, it is understood that the military assistants of the Committee of Good Offices will have every opportunity in the execution of paragraph 4 of the truce agreement, for determining whether any incident requires inquiry by the higher authorities of either or both parties, in which case they will of course at the same time refer the matter to their principal, namely, the Committee of Good Offices, whose services will be available to assist in adjusting differences between the parties in regard to the truce.

#### PRINCIPLES FORMING AN AGREED BASIS FOR THE POLITICAL DISCUSSIONS

The Committee of Good Offices has been informed by the delegation of the Kingdom of the Netherlands and by the delegation of the Republic of Indonesia that, the truce agreement having been signed, their Governments accept the following principles on which the political discussions will be based:

1. That the assistance of the Committee of Good Offices be continued in the working out and signing of an agreement for the settlement of the political dispute in the islands of Java, Sumatra and Madura, based upon the principles underlying the Linggadjati Agreement.

2. It is understood that neither party has the right to prevent the free expression of popular movements looking toward political organizations which are in accord with the principles of the Linggadjati Agreement. It is further understood that each party will guarantee the freedom of assembly, speech and publication at all times provided that his guarantee is not construed so as to include the advocacy of violence or reprisals.

3. It is understood that decisions concerning changes in administration of territory should be made only with the full and free consent



of the populations of those territories and at a time when the security and freedom from coercion of such populations will have been ensured.

4. That on the signing of the political agreement provision be made for the gradual reduction of the armed forces of both parties.

5. That as soon as practicable after the signing of the truce agreement, economic activity, trade, transportation and communications be restored through the co-operation of both parties, taking into consideration the interests of all the constituent parts of Indonesia.

6. That provision be made for a suitable period of not less than six months nor more than one year after the signing of the agreement, during which time uncoerced and free discussion and consideration of vital issues will proceed. At the end of this period, free elections will be held for self-determination by the people of their political relationship to the United States of Indonesia.

7. That a constitutional convention be chosen according to democratic procedure to draft a constitution for the United States of Indonesia.

8. It is understood that if, after signing the agreement referred to in item 1, either party should ask the United Nations to provide an agency to observe conditions at any time up to the point at which sovereignty is transferred from the Government of the Netherlands to the Government of the United States of Indonesia, the other party will take this request in serious consideration.

The following four principles are taken from the Linggadjati Agreement:

9. Independence for the Indonesian peoples.

10. Co-operation between the peoples of the Netherlands and Indonesia.

11. A sovereign state on a federal basis under a constitution which will be arrived at by democratic processes.

12. A union between the United States of Indonesia and other parts of the Kingdom of the Netherlands under the King of the Netherlands.

Confirmed for the Government of the Kingdom of the Netherlands  
RADEN ABDULKADIR WIDJOJOATMODJO  
*Chairman of the delegation*

Confirmed for the Government of the Republic of Indonesia  
DR. AMIR SJARIFUDDIN  
*Chairman of the delegation*

The representatives on the United Nations Security Council Committee of Good Offices on the Indonesian Question, and the Committee Secretary, whose signatures are hereunto subscribed on this 17th day of January 1948, on board the U.S.S. *Renville*, testify that the above principles are agreed to as a basis for the political discussions.

Chairman :	MR. JUSTICE RICHARD C. KIRBY (Australia)
Representatives :	MR. PAUL VAN ZEELAND (Belgium) DR. FRANK P. GRAHAM (United States)
Secretary :	T. G. NARAYANAN

#### ADDITIONAL PRINCIPLES FOR THE NEGOTIATIONS TOWARD A POLITICAL SETTLEMENT

The Committee of Good Offices is of the opinion that the following principles, among others, form a basis for the negotiations towards a political settlement :

1. Sovereignty throughout the Netherlands Indies is and shall remain with the Kingdom of the Netherlands until, after a stated interval, the Kingdom of the Netherlands transfers its sovereignty to the United States of Indonesia. Prior to the termination of such stated interval, the Kingdom of the Netherlands may confer appropriate rights, duties and responsibilities on a provisional federal government of the territories of the future United States of Indonesia. The United States of Indonesia, when created, will be a sovereign and independent State in equal partnership with the Kingdom of the Netherlands in a Netherlands-Indonesian Union at the head of which shall be the King of the Netherlands. The status of the Republic of Indonesia will be that of a state within the United States of Indonesia.

2. In any provisional federal government created prior to the ratification of the constitution of the future United States of Indonesia, all states will be offered fair representation.

3. Prior to the dissolution of the Committee of Good Offices, either party may request that the services of the Committee be continued to assist in adjusting differences between the parties which relate to the political agreement and which may arise during the interim period. The other party will interpose no objection to such a request; this request would be brought to the attention of the Security Council of the United Nations by the Government of the Netherlands.

4. Within a period of not less than six months or more than one year from the signing of this agreement, a plebiscite will be held to determine whether the populations of the various territories of Java, Madura and Sumatra wish their territory to form part of the Republic of Indonesia or of another state within the United States of Indonesia, such plebiscite to be conducted under observation by the Committee of Good Offices should either party, in accordance with the procedure set forth in paragraph 3 above, request the services of the Committee in this capacity. The parties may agree that another method for ascertaining the will of the populations may be employed in place of a plebiscite.

5. Following the delineation of the states in accordance with the procedure set forth in paragraph 4 above, a constitutional convention will be convened, through democratic procedures, to draft a constitution for the United States of Indonesia. The representation of the various states in the convention will be in proportion to their populations.

6. Should any state decide not to ratify the constitution and desire, in accordance with the principles of articles 3 and 4 of the Linggadjati Agreement, to negotiate a special relationship with the United States of Indonesia and the Kingdom of the Netherlands, neither party will object.

[This resolution, which notes with concern the resumption of hostilities in Indonesia, calls upon the parties to cease hostilities, and instructs the Committee of Good Offices to report to the Security Council on the events in Indonesia since December 12, 1948, was adopted by the Security Council December 24, 1948.]

The Security Council,

NOTING with concern the resumption of hostilities in Indonesia, and;

HAVING TAKEN NOTE of the reports of the Committee of Good Offices;

*Calls* upon the parties

(a) to cease hostilities forthwith; and

(b) immediately to release the President and other political prisoners arrested since 18 December.

*Instructs* the Committee of Good Offices to report to the Security Council fully and urgently by telegraph on the events which have transpired in Indonesia since 12 December 1948; and to observe and

report to the Security Council on the compliance with sub-paragraphs (a) and (b) above.

[The following two resolutions, relating respectively to the release by the Netherlands Government of political prisoners and a report by the consular representatives in Batavia on the situation in the Republic of Indonesia, were both adopted by the Security Council December 28, 1948.]

#### The Security Council

NOTING that the Netherlands Government has not so far released the President of the Republic of Indonesia and all other political prisoners, as required by the resolution of 24 December 1948,

*Calls upon* the Netherlands Government to set free these political prisoners forthwith and report to the Security Council within 24 hours of the adoption of the present resolution.

#### The Security Council

*Requests* the Consular Representatives in Batavia referred to in Paragraph 5 of the Resolution adopted on 25 August 1947 at the 194th meeting of the Council to send as soon as possible for the information and guidance of the Security Council a complete report on the situation in the Republic of Indonesia, covering in such report the observance of the cease-fire orders and the conditions prevailing in areas under military occupation or from which armed forces now in occupation may be withdrawn.

## UNITED STATES PARTICIPATION IN THE UNITED NATIONS

### *Organization of the Government To Participate*

While the Department of State is the agency primarily responsible for United States participation in the United Nations, many other agencies of the Government play a role in this work. In the formulation of United States policies and program for expression in the Security Council and its subordinate bodies on atomic energy and conventional armaments, and in the Military Staff Committee, the National Military Establishment and the United States Atomic Energy Commission collaborate closely with the Department of State. The Economic and Social Council covers a broad range of subjects of interest and concern to many agencies, such as the Departments of Agriculture, Commerce, Interior, Justice, and Labor, as well as the Federal Security Agency, the Tariff Commission, the Maritime Commission, and the Bureau of the Budget. These agencies often provide advisers to the United States Representative in meetings of the Council. Trusteeship matters and problems affecting non-self-governing territories are subjects of collaboration between the Department of State and the Departments of Navy and Interior.

This coordination, designed to insure harmonious and unified United States policies in the international forum, is effected primarily through the system of interdepartmental committees, which bring to bear on specific United Nations problems the many and varied interests of different agencies. Among these committees are the Executive Committee on the Regulation of Armaments, the State-Army-Navy-Air Force Coordinating Committee, the Executive Committee on Economic Foreign Policy, the Federal Committee on International Statistics, and the Committee on International Social Policy.

Within the Department of State, all the organizational units whose functions relate to matters before the United Nations participate in a cooperative planning and policy-development process. Taking primary responsibility for the coordination and guidance of these

efforts is the Office of United Nations Affairs, which reports directly to the Under Secretary and consists of divisions concerned with United Nations political matters, United Nations economic and social problems, trusteeship and dependent-area affairs, international atomic-energy and armaments control, and international administration. Through departmental committees devoted to specific areas or problems, and through close and constant collaboration with other interested offices, divisions, and government agencies, the office of United Nations Affairs steers the formulation and execution of United States policies affecting the machinery of international organization and insures the adequate and coordinated preparation of instructions to the United States Representatives in the organs of the United Nations and in the related specialized international organizations.

### *Representation at the Seat*

The United States is represented by a Mission at the headquarters, or seat, of the United Nations in New York. The principal function of the mission is to assist the President and the Department of State in conducting United States participation in the United Nations. It carries out the instructions of the President, as transmitted by the Secretary of State, in United Nations bodies at the headquarters of the United Nations and serves as the main channel between the Department of State and the various United Nations organs, agencies and commissions at the headquarters, as well as delegations of other nations to the United Nations. In 1948 forty-three Members of the United Nations maintained missions, or delegations with offices, at the headquarters of the United Nations, and more are being established.

The basic structure, organization, and functions of the United States Mission to the United Nations have been determined in the main by the following factors:

1. The requirements of the United Nations Charter;
2. The provisions of the United Nations Participation Act (Public Law 264, 79th Congress, 1945);
3. The President's Executive Order 9844; and
4. The accumulated experience of the United States Delegations to the Dumbarton Oaks Conversations, the United Nations Conference on International Organization at San Francisco, the Preparatory Commission of the United Nations at London, and the seat of the United Nations in New York.

According to Executive Order 9844 (April 28, 1947), the mission is comprised of the following:

“The Representative at the seat of the United Nations, the Deputy Representative to the Security Council, Representatives in the Economic and Social Council and its Commissions, the Trusteeship Council, the Atomic Energy Commission, the Commission for Conventional Armaments and the Military Staff Committee, and representatives to organs and agencies of the United Nations hereafter appointed or designated and included within the United States Mission to the United Nations herein provided for, together with their deputies, staffs and offices. . . .”

In this connection, the United Nations Participation Act (Public Law 264, 79th Congress) specifically provides that the President or the Secretary of State may represent the United States at any meeting of any organ or agency of the United Nations.

The mission has a staff which consists of a small number of advisers and a secretariat, under a Secretary-General. This secretariat deals with the administrative operations and provides the mission and the United States Delegations to the General Assembly with United States and United Nations documents, reference work, daily summary reports of United Nations meetings—which are also sent to the Department of State—telephone and telegraphic services, and transportation, personnel, fiscal, supply, and maintenance services. It is equipped to deal with an almost uninterrupted series of conference activities throughout the year. During certain sessions of the various councils and commissions and particularly during the General Assembly sessions, when extraordinary duties of negotiation and technical services are involved, special advisers are temporarily assigned to New York by the Department of State or other government agencies, and temporary assistants are added to the secretariat staff.

### *Additional Representation*

The representation thus maintained at the seat of the United Nations by the United States at this time provides for our participation in all of the principal organs except the General Assembly, the International Court of Justice, and the United Nations Secretariat (on which there is no national representation), and in all but three of the commissions of the United Nations. United States Delegations

to the General Assembly are separately appointed and are not included in the mission but utilize its facilities and personnel at the time of meetings. The United States Delegation to the regular sessions of the United Nations General Assembly consists usually of five representatives and five alternate representatives, appointed by the President and subject to Senate confirmation, and advisers and assistants drawn from Department of State and mission personnel. The Secretary of State has to date always acted as Senior United States Representative on these delegations.

Other United States representatives to bodies of the United Nations, not members of the mission, include the Representative to the Economic Commission for Europe, which has offices in Geneva, the Representative to the Economic Commission for Asia and the Far East, which has as yet established no fixed headquarters, and the Representative to the Economic Commission for Latin America, at Santiago. These representatives report directly to the Secretary of State.

### *Consultations With the American Public*

Provision is made under article 71 of the United Nations Charter for consultative relationships between the Economic and Social Council and nongovernmental organizations. Most of the groups brought into such direct consultative relationships are international bodies having membership in various nations, including the United States.

The arrangements made by the Economic and Social Council in the implementation of article 71 provide that, ordinarily, national groups should work directly with their national governments on matters relating to the Economic and Social Council. Since 1945 the Department of State has been carrying out this Government's responsibilities for such consultation by providing interested groups with information and receiving their thinking and comment on the broad array of questions relating to the Economic and Social Council's program.

The Department of State, through its Division of Public Liaison and the United States Mission to the United Nations, has facilitated the participation of several hundred American organizations in discussion of United States positions and proposals put forward not only in the Economic and Social Council but in all major organs of the United Nations. This participation has taken various forms.

In Washington and New York officers of the State Department and members of United States Delegations have held frequent off-the-record meetings with designated representatives of nongovernmental



organizations for the discussion of American policies and proposals and for the expression of the views and reactions of the organizations.

From time to time national consultative conferences are held. For example, on March 4, 1948, a meeting was held in the State Department with 244 representatives of 178 national organizations for an exchange of views on the work of the Human Rights Commission and on questions relating to freedom of information.

The Department has provided public-liaison services for unofficial observers representing American organizations and attending international conferences at their own expense. These services have included background meetings with United States Delegation members, provision of documentation, and various opportunities for exchange of views. For example, at the Third Session of the General Assembly in Paris some thirty meetings were held with members of the United States Delegation for over sixty designated representatives of American organizations. More than seventy organization representatives met in daily sessions with members of the United States Delegation at the FAO Conference in Washington in November, and other consultative services were provided.

In response to a resolution of the General Assembly calling upon Member governments to aid in the celebration of October 24 as United Nations Day, the Department of State cooperated with organizations and individuals throughout the United States in an extensive program of observances and consideration of United Nations questions.

Thus, through providing requested information on all aspects of Economic and Social Council and United Nations matters and by seeking the views and advice of representative American organizations in the formulation of United States policies on issues before the Economic and Social Council and the United Nations, the Department of State has made every effort to discharge its responsibilities by fostering close consultative relationships with nongovernmental organizations in the United States.

*United States Representatives to the United Nations, Its Organs, Subsidiary Bodies, and the Specialized Agencies, 1948*

United States Representative and Chief of United States Mission to the United Nations:

Warren R. Austin

Deputy Chief of United States Mission to the United Nations:

Herschel V. Johnson, Jan. 1–May 2, 1948

Philip C. Jessup, beginning June 25, 1948

Deputy to the United States Representative to the United Nations:

John C. Ross

#### THE GENERAL ASSEMBLY

*Second Special Session (Palestine)*, New York, Apr. 16–May 14, 1948

Representatives:

Warren R. Austin

Francis B. Sayre

Philip C. Jessup

Alternate Representatives:

Dean Rusk

John C. Ross

*Third Regular Session, First Part*, Paris, Sept. 21–Dec. 12, 1948

Representatives:

Secretary of State George C. Marshall, Senior Representative

Warren R. Austin, Alternate Senior Representative

John Foster Dulles, Acting Senior Representative

Mrs. Franklin D. Roosevelt

Philip C. Jessup

Benjamin V. Cohen <sup>1</sup>

Alternate Representatives:

Ray Atherton

Willard L. Thorp

Ernest A. Gross

Francis B. Sayre

Dean Rusk <sup>2</sup>

*Special Committee on Information Transmitted Under Article 73 (e) of the Charter*

United States Representative:

Benjamin Gerig, beginning July 20, 1948

*Interim Committee of the General Assembly*

United States Representative:

Warren R. Austin

Deputy United States Representatives:

Philip C. Jessup, beginning Jan. 5, 1948

Joseph E. Johnson, June 14–Aug. 5, 1948

#### THE SECURITY COUNCIL

United States Representative:

Warren R. Austin

Deputy United States Representatives:

Herschel V. Johnson, Jan. 1–May 2, 1948

Philip C. Jessup, beginning June 25, 1948

<sup>1</sup> Mr. Cohen was originally appointed Alternate Representative. He was appointed Representative on Nov. 19, 1948, when Mr. Dulles was appointed Acting Senior Representative upon Senator Austin's departure.

<sup>2</sup> Mr. Rusk was appointed Alternate Representative on Nov. 19, 1948, when Mr. Cohen became Representative.

**THE UNITED NATIONS ATOMIC ENERGY COMMISSION**

United States Representative:

Warren R. Austin

Deputy United States Representative:

Frederick H. Osborn

**THE COMMISSION FOR CONVENTIONAL ARMAMENTS**

United States Representative:

Warren R. Austin

Deputy United States Representative:

Frederick H. Osborn, beginning Feb. 12, 1948

**THE MILITARY STAFF COMMITTEE**

United States Representatives:

Army: Lt. Gen. M. B. Ridgway, U.S.A., Jan. 1-June 23, 1948

Lt. Gen. W. D. Crittenberger, beginning June 24, 1948

Navy: Admiral H. K. Hewitt, U.S.N.

Air Force: Lt. Gen. H. R. Harmon, U.S.A.F.

**THE ECONOMIC AND SOCIAL COUNCIL**

United States Representative:

Willard L. Thorp

Deputy United States Representatives:

Leroy D. Stinebower

Walter M. Kotschnig, beginning July 3, 1948

*Commissions of the Economic and Social Council and United States Representatives:*

<i>Social</i>	Arthur J. Altmeyer
	Katharine F. Lenroot, Alternate
<i>Narcotics</i>	Harry J. Anslinger
<i>Transport and Communications</i>	George P. Baker
<i>Fiscal</i>	Edward F. Bartelt
<i>Population</i>	Philip M. Hauser
<i>Status of Women</i>	Dorothy Kenyon
<i>Economic and Employment</i>	Isador Lubin
<i>Statistical</i>	Stuart A. Rice
<i>Human Rights</i>	Mrs. Franklin D. Roosevelt
 <i>Regional Commissions and United States Representatives:</i>	
<i>Economic Commission for Asia and the Far East</i>	Henry F. Grady, May 22-June 12, 1948
	Myron M. Cowen, beginning Nov. 13, 1948
<i>Economic Commission for Europe</i>	Henry R. Labouisse, Jr. (acting, Apr. 24-May 8, 1948)
	W. Averell Harriman, beginning June 24, 1948
	Paul R. Porter, Alternate
<i>Economic Commission for Latin America</i>	Claude G. Bowers, beginning June 17, 1948
	William A. Fowler, Alternate, beginning June 17, 1948

**THE TRUSTEESHIP COUNCIL**

United States Representative:

Francis B. Sayre

Deputy United States Representative:

Benjamin Gerig

**INTERNATIONAL CHILDREN'S EMERGENCY FUND**

United States Representative, Executive Board:

Katharine F. Lenroot

Alternate United States Representatives:

Dallas W. Dort

Louis K. Hyde

**SPECIAL MISSIONS AND UNITED STATES REPRESENTATIVES**

<i>General Assembly Special Committee on the Balkans</i>	Alan G. Kirk, until Dec. 30, 1948
	Gerald A. Drew, Deputy until Mar. 15, 1948; Acting United States Representative, Mar. 15, 1948—
	Arthur W. Parsons, Acting Deputy, Apr. 15–Sept. 29, 1948 (deceased)
	Lt. Col. Allen C. Miller, Acting Deputy, beginning Oct. 5, 1948
<i>Security Council Good Offices Committee on Indonesia</i>	Frank Porter Graham, resigned Feb. 13, 1948
	Coert du Bois, Feb. 28–July 21, 1948
	H. Merle Cochran, beginning July 21, 1948
<i>Security Council Commission on India and Pakistan</i>	Joseph W. Scott, Deputy, beginning Aug. 5, 1948
	J. Klahr Huddle, beginning June 17, 1948
<i>Security Council Truce Commission for Palestine</i>	Thomas C. Wasson, May 5–23, 1948 (deceased)
	John J. Macdonald, beginning June 24, 1948
<i>United Nations Conciliation Commission for Palestine</i>	Joseph Keenan, Dec. 29, 1948–Jan. 14, 1949
	Mark Ethridge, beginning Mar. 1, 1949

**SPECIALIZED AGENCIES OF THE UNITED NATIONS<sup>3</sup>***Food and Agriculture Organization of the United Nations*

United States Member, FAO Council:

Norris E. Dodd, Under Secretary of Agriculture, resigned June 7, 1948

Albert J. Loveland, Under Secretary of Agriculture, beginning Sept. 28, 1948

Alternate United States Members:

Leslie A. Wheeler, resigned Feb. 29, 1948

Fred J. Rossiter, beginning Sept. 28, 1948

<sup>3</sup>This list does not include membership on United States Delegations to individual meetings of these organizations.

Associate Member :

Edward G. Cale

*International Bank for Reconstruction and Development*

United States Governor, Board of Governors :

John W. Snyder, Secretary of the Treasury

Alternate United States Governor :

William L. Clayton

United States Executive Director :

Eugene R. Black

Alternate United States Executive Director :

John S. Hooker

*International Civil Aviation Organization*

United States Representatives :

Maj. Gen. Laurence S. Kuter, U.S.A., resigned Mar. 1, 1948

Rear Adm. Paul A. Smith, U.S.N., beginning Sept. 24, 1948

Alternate United States Representative :

Rear Adm. Paul A. Smith, U.S.N., until Sept. 24, 1948

United States Member, Air Transport Committee :

Paul T. David

*International Labor Organization*

United States Member, Governing Body :

David A. Morse, Under Secretary of Labor, until Sept. 6, 1948<sup>4</sup>

*International Monetary Fund*

United States Governor, Board of Governors :

John W. Snyder, Secretary of the Treasury

Alternate United States Governor :

William L. Clayton

United States Executive Director :

Andrew N. Overby, Department of the Treasury

Alternate United States Executive Director :

George F. Luthringer, resigned July 1, 1948

Henry J. Tasca, beginning Oct. 21, 1948

*International Refugee Organization*

United States Representative, Preparatory Commission :

George L. Warren<sup>5</sup> (Preparatory Commission ceased to exist on September 16, 1948)

<sup>4</sup>The appointment of a new United States Member of the Governing Body is under consideration.

<sup>5</sup>The Preparatory Commission ceased to exist on Sept. 16, 1948.

**United States Representative, Executive Committee :**

(The United States appoints a representative only at the time of individual sessions.)

*United Nations Educational, Scientific and Cultural Organization***Member, Executive Board :**

George D. Stoddard (appointed by Organization itself)

*Universal Postal Union*

(The United States appoints a representative only at the time of individual meetings.)

*World Health Organization***United States Representative, Interim Commission :**

Dr. Thomas Parran, Surgeon General, United States Public Health Service<sup>6</sup>

**United States Representative, Executive Board :**

Dr. H. van Zile Hyde, beginning Oct. 19, 1948

*International Telecommunication Union***United States Representative, Administrative Council :**

Francis Colt de Wolf

**Alternate to the United States Representative :**

Harvey B. Otterman

*United States Representatives on Main Committees of the  
United Nations General Assembly, First Part, Third Regular  
Session, Paris, France, September 21–December 12, 1948*

*General Committee*

Warren R. Austin  
John Foster Dulles

*First Committee (Political and Security)*

Warren R. Austin  
John Foster Dulles  
Philip C. Jessup  
Benjamin V. Cohen  
Dean Rusk

*Ad Hoc Political Committee*

Benjamin V. Cohen

*Second Committee (Economic and Financial)*

Willard L. Thorp

<sup>6</sup> The Interim Commission ceased to exist on Aug. 31, 1948.

*Third Committee (Social, Humanitarian, and Cultural)*

Mrs. Franklin D. Roosevelt

*Joint Committee Two and Three*

Willard L. Thorp

*Fourth Committee (Trusteeship)*

Francis B. Sayre

*Fifth Committee (Administrative and Budgetary)*

Ernest A. Gross

*Sixth Committee (Legal)*

Ernest A. Gross

## MEMBERSHIP AND ORGANIZATION OF THE UNITED NATIONS AND SPECIALIZED AGENCIES

### *Membership of Principal Organs of the United Nations*

#### THE GENERAL ASSEMBLY

The General Assembly consists of representatives of all states Members of the United Nations. As of December 31, 1948, the following 58 states were Members:

Afghanistan	Ethiopia	Peru
Argentina	France	Philippines
Australia	Greece	Poland
Belgium	Guatemala	Saudi Arabia
Bolivia	Haiti	Siam
Brazil	Honduras	Sweden
Burma <sup>1</sup>	Iceland	Syria
Byelorussian Soviet Socialist Republic	India	Turkey
Canada	Iran	Ukrainian Soviet Socialist Republic
Chile	Iraq	Union of South Africa
China	Lebanon	Union of Soviet Socialist Republics
Colombia	Liberia	United Kingdom of Great Britain and Northern Ireland
Costa Rica	Luxembourg	United States of America
Cuba	Mexico	Uruguay
Czechoslovakia	Netherlands	Venezuela
Denmark	New Zealand	Yemen
Dominican Republic	Nicaragua	Yugoslavia
Ecuador	Norway	
Egypt	Pakistan	
El Salvador	Panama	
	Paraguay	

#### THE SECURITY COUNCIL

##### Permanent Members

China  
France  
Union of Soviet Socialist Republics  
United Kingdom of Great Britain and Northern Ireland  
United States of America

<sup>1</sup> Admitted Apr. 19, 1948.



Nonpermanent Members<sup>2</sup>*Term Expires December 31, 1950:*

Cuba  
Egypt  
Norway

*Term Expires December 31, 1949:*

Argentina  
Canada  
Ukrainian Soviet Socialist Republic

THE ECONOMIC AND SOCIAL COUNCIL<sup>3</sup>*Term Expires December 31, 1951:*

China  
France  
India  
Peru  
Belgium  
Chile

*Term Expires December 31, 1950:*

Australia  
Brazil  
Denmark  
Poland  
Union of Soviet Socialist Republics  
United Kingdom of Great Britain and Northern Ireland

*Term Expires December 31, 1949:*

Byelorussian Soviet Socialist Republic  
Lebanon  
New Zealand  
Turkey  
United States of America  
Venezuela

## THE TRUSTEESHIP COUNCIL

## States Administering Trust Territories

Australia	United States of America
Belgium	United Kingdom of Great
France	Britain and Northern
New Zealand	Ireland

## States Not Administering Trust Territories

## Members by Virtue of Being Permanent Members of the Security Council:

China  
Union of Soviet Socialist Republics

<sup>2</sup> Three nonpermanent members are elected each year for a term of two years.

<sup>3</sup> Six members are elected each year for a term of three years.

## Elected Members:

*Term Expires December 31, 1950:*

Costa Rica  
Philippines

*Term Expires December 31, 1949:*

Iraq  
Mexico

## THE INTERNATIONAL COURT OF JUSTICE

*Term Expires 1958:*

Dr. Milovan Zoricic (Yugoslavia)  
John E. Read (Canada)  
Dr. Bohdan Winiarski (Poland)  
Dr. Abdel Hamid Badawi Pasha (Egypt)  
Dr. Hsu Mo (China)

*Term Expires 1955:*

Jules Basdevant (France)  
Dr. José Gustavo Guerrero (El Salvador)  
Sir Arnold Duncan McNair (United Kingdom)  
Dr. Alejandro Alvarez (Chile)  
Dr. José Philadelpho de Barros Azevedo (Brazil)

*Term Expires 1952:*

Isidro Fabela Alfaro (Mexico)  
Dr. Helge Klaestad (Norway)  
Charles de Visscher (Belgium)  
Green H. Hackworth (United States of America)  
Prof. Sergei Borisovich Krylov (Union of Soviet Socialist Republics)

## THE INTERNATIONAL LAW COMMISSION

*Term Expires 1951:*

Shuhsi Hsu (China)  
Sir Gilberto Amado (Brazil)  
Sir Benegal Narsing Rau (India)  
James L. Brierly (United Kingdom)  
Georges Scelle (France)  
Roberta Cordoba (Mexico)  
Manley O. Hudson (United States of America)  
J. P. A. Francois (Netherlands)  
Vladimir Mikhailovich Koretsky (Union of Soviet Socialist Republics)  
Jean Spyropoulos (Greece)  
Ricardo J. Alfaro (Panama)  
Jesus María Yepes (Colombia)  
A. E. F. Sandstrom (Sweden)  
Faris Bey el-Khoury (Syria)  
Jaroslav Zourek (Czechoslovakia)

*Membership of Specialized Agencies in Relationship With the United Nations, December 31, 1948*

## INTERNATIONAL LABOR ORGANIZATION

David Morse, Director General, Geneva, Switzerland

Afghanistan	Ecuador	New Zealand
Albania	Egypt	Norway
Argentina	El Salvador	Pakistan
Australia	Ethiopia	Panama
Austria	Finland	Peru
Belgium	France	Philippines
Bolivia	Greece	Poland
Brazil	Guatemala	Portugal
Bulgaria	Haiti	Siam
Burma	Hungary	Sweden
Canada	Iceland	Switzerland
Ceylon	India	Syria
Chile	Iran	Turkey
China	Iraq	Union of South Africa
Colombia	Ireland	United Kingdom
Costa Rica	Italy	United States of America
Cuba	Liberia	Uruguay
Czechoslovakia	Luxembourg	Venezuela
Denmark	Mexico	Yugoslavia
Dominican Republic	Netherlands	

## FOOD AND AGRICULTURE ORGANIZATION

Norris E. Dodd, Director General, Washington, D. C.

Australia	Finland	Pakistan
Austria	France	Panama
Belgium	Greece	Paraguay
Bolivia	Guatemala	Peru
Brazil	Haiti	Philippines
Burma	Honduras	Poland
Canada	Hungary	Portugal
Ceylon	Iceland	Saudi Arabia
Chile	India	Siam
China	Iraq	Switzerland
Colombia	Ireland	Syria
Costa Rica	Italy	Turkey
Cuba	Lebanon	Union of South Africa
Czechoslovakia	Liberia	United Kingdom
Denmark	Luxembourg	United States of America
Dominican Republic	Mexico	Uruguay
Ecuador	Netherlands	Venezuela
Egypt	New Zealand	Yugoslavia
El Salvador	Nicaragua	
Ethiopia	Norway	

INTERNATIONAL CIVIL AVIATION ORGANIZATION <sup>4</sup>

Albert Roper, Secretary-General, Montreal, Canada

Afghanistan	El Salvador	Nicaragua
Argentina	Ethiopia	Norway
Australia	Finland <sup>5</sup>	Pakistan
Austria	France	Paraguay
Belgium	Greece	Peru
Bolivia	Guatemala	Philippines
Brazil	Haiti	Poland
Burma	Iceland	Portugal
Canada	India	Siam
Ceylon	Iraq	Sweden
Chile	Ireland	Switzerland
China	Italy	Transjordan
Colombia	Liberia	Turkey
Czechoslovakia	Luxembourg	Union of South Africa
Denmark	Mexico	United Kingdom
Dominican Republic	Netherlands	United States of America
Egypt	New Zealand	Venezuela

## INTERNATIONAL BANK FOR RECONSTRUCTION AND DEVELOPMENT

John J. McCloy, President, Washington, D. C.

Australia	El Salvador	Nicaragua
Austria	Ethiopia	Norway
Belgium	Finland	Panama
Bolivia	France	Paraguay
Brazil	Greece	Peru
Canada	Guatemala	Philippines
Chile	Honduras	Poland
China	Iceland	Syria
Colombia	India	Turkey
Costa Rica	Iran	Union of South Africa
Cuba	Iraq	United Kingdom
Czechoslovakia	Italy	United States of America
Denmark	Lebanon	Uruguay
Dominican Republic	Luxembourg	Venezuela
Ecuador	Mexico	Yugoslavia
Egypt	Netherlands	

<sup>4</sup> Spain is not participating in the activities of ICAO although its legal debarment from membership will not become effective until 28 states have ratified the amendment to the ICAO convention debaring Spain.

<sup>5</sup> Full membership for Finland will become effective upon deposit of the instrument of ratification.

## INTERNATIONAL MONETARY FUND

Camille Gutt, President, Washington, D. C.

Australia	El Salvador	Nicaragua
Austria	Ethiopia	Norway
Belgium	Finland	Panama
Bolivia	France	Paraguay
Brazil	Greece	Peru
Canada	Guatemala	Philippines
Chile	Honduras	Poland
China	Iceland	Syria
Colombia	India	Turkey
Costa Rica	Iran	Union of South Africa
Cuba	Iraq	United Kingdom
Czechoslovakia	Italy	United States of America
Denmark	Lebanon	Uruguay
Dominican Republic	Luxembourg	Venezuela
Ecuador	Mexico	Yugoslavia
Egypt	Netherlands	

## THE WORLD HEALTH ORGANIZATION

Dr. G. B. Chisholm, Director General, Geneva, Switzerland

Afghanistan	Ethiopia	Poland
Albania	Finland	Portugal
Argentina	France	Rumania
Australia	Greece	Saudi Arabia
Austria	Haiti	Siam
Belgium	Hungary	Sweden
Brazil	Iceland	Switzerland
Bulgaria	India	Syria
Burma	Iran	Transjordan
Byelorussian Soviet Socialist Republic	Iraq	Turkey
Canada	Ireland	Ukrainian Soviet Socialist Republic
Ceylon	Italy	Union of South Africa
Chile	Liberia	Union of Soviet Socialist Republics
China	Mexico	United Kingdom
Czechoslovakia	Monaco	United States of America
Denmark	Netherlands	Venezuela
Dominican Republic	New Zealand	Yugoslavia
Egypt	Norway	
El Salvador	Pakistan	
	Philippines	

## INTERNATIONAL REFUGEE ORGANIZATION

William Hallam Tuck, Director General, Geneva, Switzerland

Australia	France	Norway
Belgium	Guatemala	United Kingdom
Canada	Iceland	United States of America
China	Luxembourg	Venezuela
Denmark	Netherlands	
Dominican Republic	New Zealand	

## UNIVERSAL POSTAL UNION

Alois Muri, Director, Bern, Switzerland

Afghanistan	France	Philippines
Albania	French Indochina	Poland
Algeria	French Morocco	Portugal
Argentina	French overseas territories	Portuguese colonies of
Australia		West Africa and colonies of East Africa,
Austria	Germany <sup>6</sup>	Asia, and the South-Sea
Belgian Congo	Greece	Islands
Belgium	Guatemala	Rumania
Bolivia	Haiti	San Marino
Brazil	Honduras	Saudi Arabia
British possessions, colonies, protectorates, mandates, etc.	Hungary	Siam
Bulgaria	Iceland	Sweden
Byelorussian Soviet Socialist Republic	India	Switzerland
Canada	Iran	Syria
Chile	Iraq	Transjordan
China	Ireland	Tunisia
Colombia	Italy	Turkey
Costa Rica	Korea <sup>6</sup>	Ukrainian Soviet Socialist Republic
Cuba	Lebanon	Union of South Africa
Curaçao and Surinam	Liberia	Union of Soviet Socialist Republics
Czechoslovakia	Luxembourg	United Kingdom
Denmark	Mexico	United States of America
Dominican Republic	Netherlands	United States possessions
Ecuador	Netherlands Indies	Uruguay
Egypt	New Zealand	Vatican City
El Salvador	Nicaragua	Venezuela
Ethiopia	Norway	Yemen
Finland	Pakistan	Yugoslavia
	Panama	
	Paraguay	
	Peru	

<sup>6</sup> Germany and Korea are parties to the convention but will not be full members until the authorities administering these states deem it appropriate.

INTERNATIONAL TELECOMMUNICATION UNION<sup>1</sup>

Franz von Ernst, Director General, Geneva, Switzerland

Afghanistan <sup>8</sup>	French colonies, protectorates and overseas territories under French mandate	Poland
Albania		Portugal
Argentina		Portuguese colonies
Australia		Rumania
Austria	Greece	Saudi Arabia
Belgian Congo and territory of Ruanda-Urundi	Guatemala	Siam
Belgium	Haiti	Southern Rhodesia
Bolivia <sup>8</sup>	Honduras	Sweden
Brazil	Hungary	Switzerland
Bulgaria	Iceland*	Syria
Burma	India	Turkey
Byelorussian Soviet Socialist Republic	Iran	Ukrainian Soviet Socialist Republic
Canada*	Iraq	Union of South Africa and the mandated territory of South West Africa
Chile	Ireland	Union of Soviet Socialist Republics
China	Italy	United Kingdom*
Colombia	Lebanon	Colonies, protectorates and overseas territories under suzerainty, mandate or trusteeship of the United Kingdom
Costa Rica <sup>8</sup>	Liberia <sup>8</sup>	United States and territories of the U. S.*
Cuba	Luxembourg	Uruguay
Czechoslovakia*	Mexico	Vatican City
Denmark*	Monaco*	Venezuela
Dominican Republic	Netherlands	Yemen <sup>8</sup>
Ecuador	Curacao and Surinam	Yugoslavia
Egypt	Netherlands Indies	
El Salvador	New Zealand*	
Ethiopia	Nicaragua	
Finland	Norway	
France	Pakistan	
French protectorates of Morocco and Tunisia	Panama	
	Paraguay <sup>8</sup>	
	Peru	
	Philippines	

<sup>1</sup> Countries listed are nominally members of the ITU pending ratification of or accession to the Atlantic City convention of 1947. Upon ratification or accession, these countries will have full membership rights. Countries marked with an asterisk now have full membership rights.

<sup>8</sup> Eligible to join upon accession to the convention.

UNITED NATIONS EDUCATIONAL, SCIENTIFIC AND CULTURAL ORGANIZATION

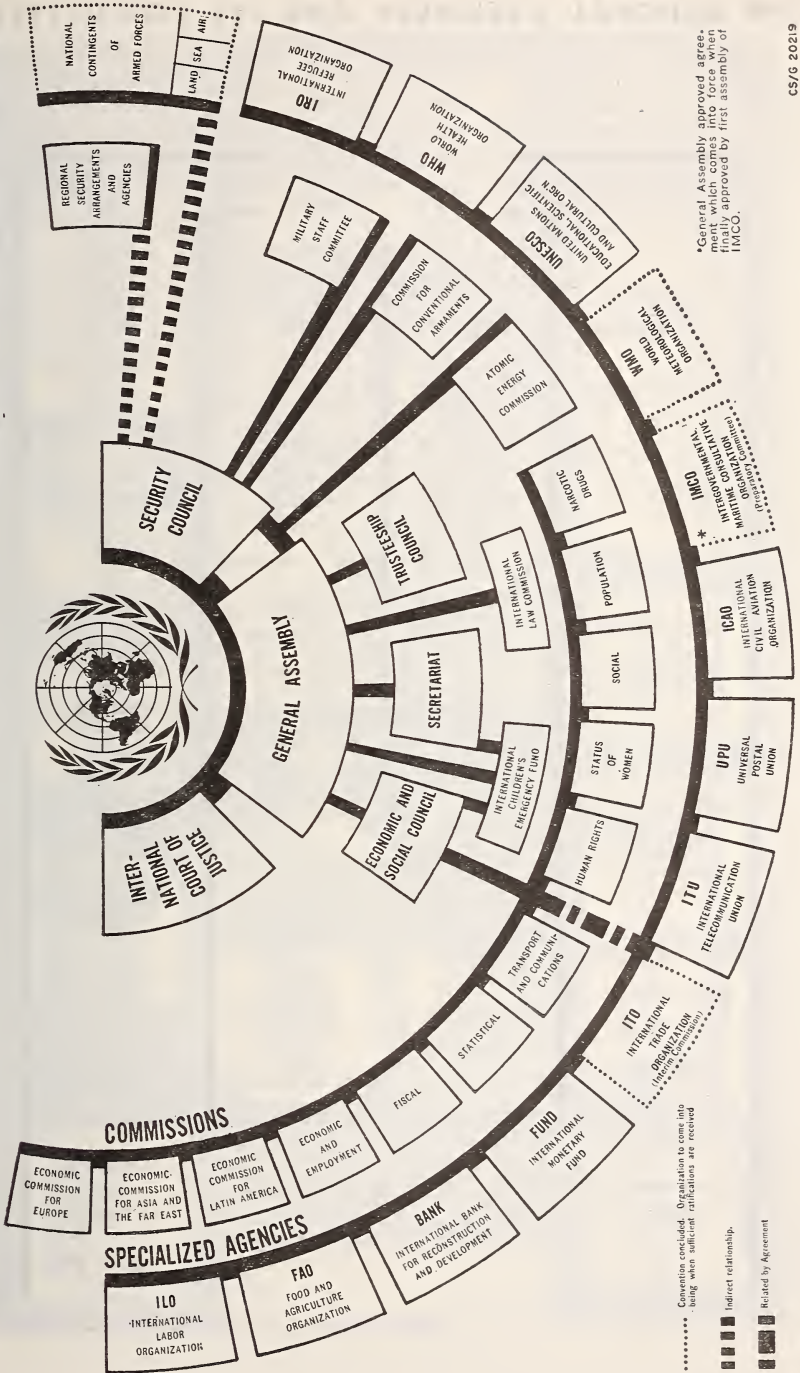
M. Torres Bodet, Director General, Paris, France

Afghanistan	El Salvador	New Zealand
Argentina	France	Norway
Australia	Greece	Peru
Austria	Haiti	Philippines
Belgium	Honduras	Poland
Bolivia	Hungary	Saudi Arabia
Brazil	India (including Paki-	Switzerland
Canada	stan)	Syria
China	Iran	Turkey
Colombia	Iraq	Union of South Africa
Cuba	Italy	United Kingdom
Czechoslovakia	Lebanon	United States of America
Denmark	Liberia	Uruguay
Dominican Republic	Luxembourg	Venezuela
Ecuador	Mexico	
Egypt	Netherlands	



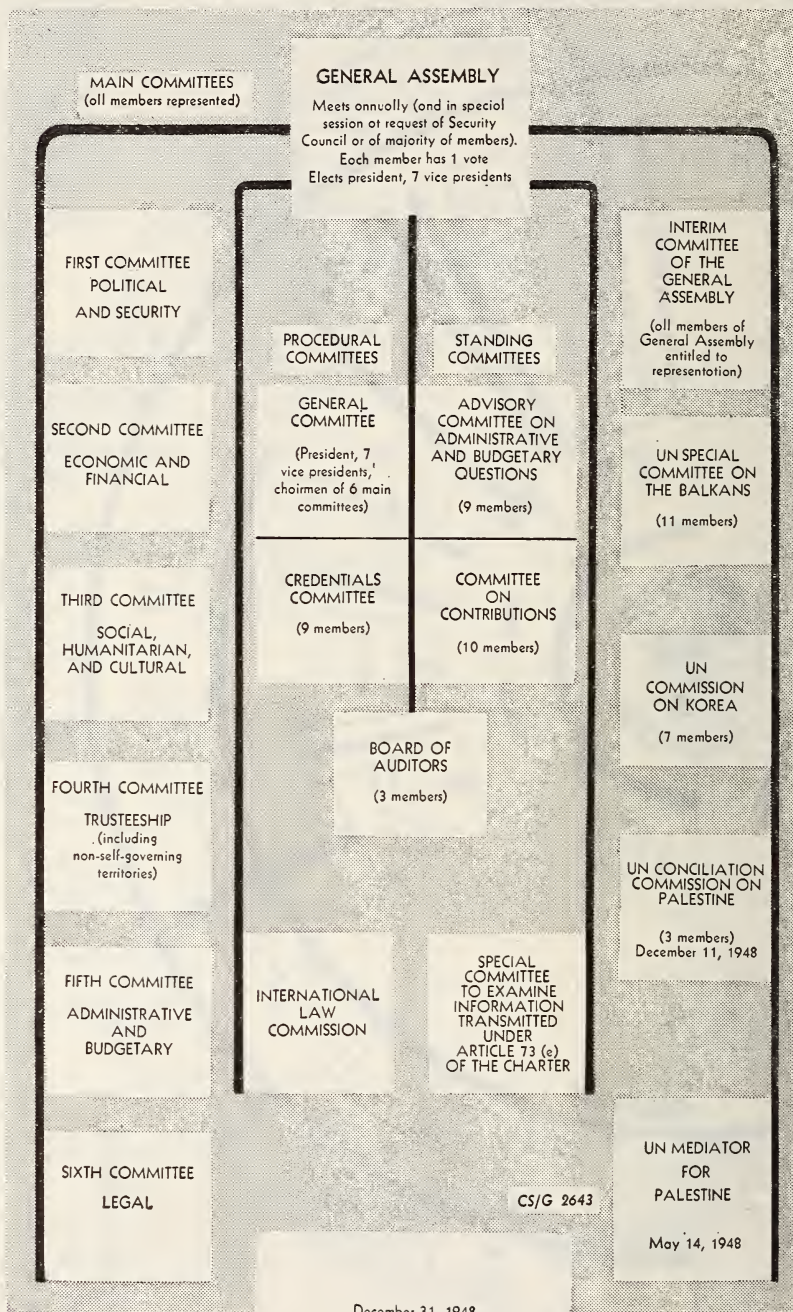
# The United Nations

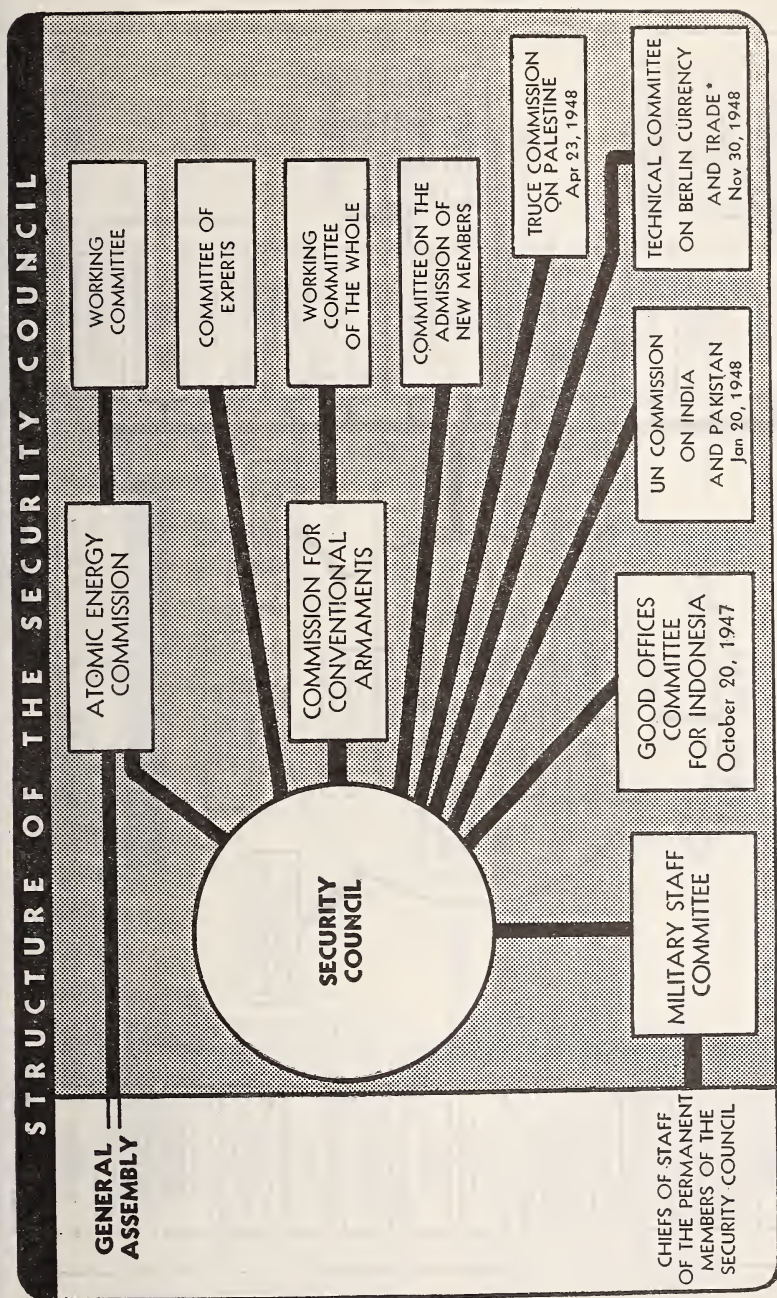
December 31, 1948



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## THE GENERAL ASSEMBLY AND ITS COMMITTEES

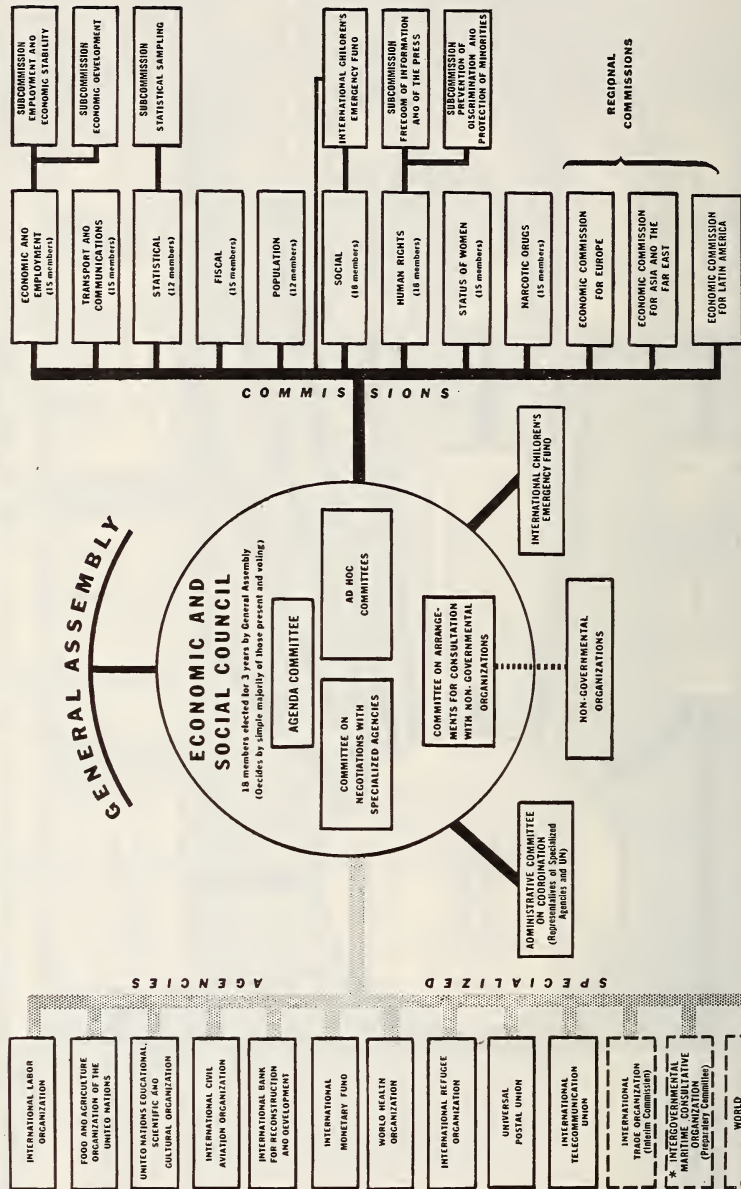




\*Established by President of Security Council Nov 30, 1948. To prepare recommendations concerning most equitable conditions for agreements among occupation powers on question of currency for Berlin and imports and exports.

**STRUCTURE OF THE ECONOMIC AND SOCIAL COUNCIL**

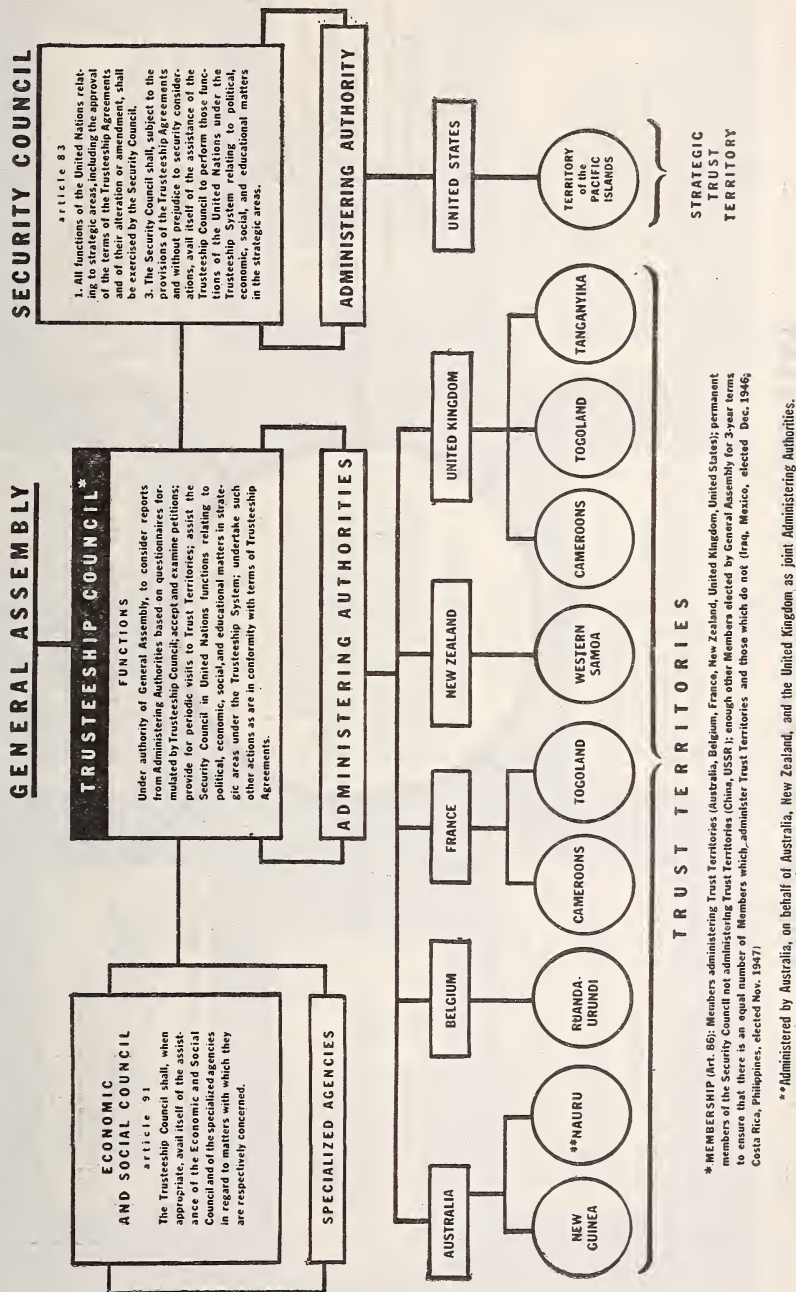
December 31, 1964



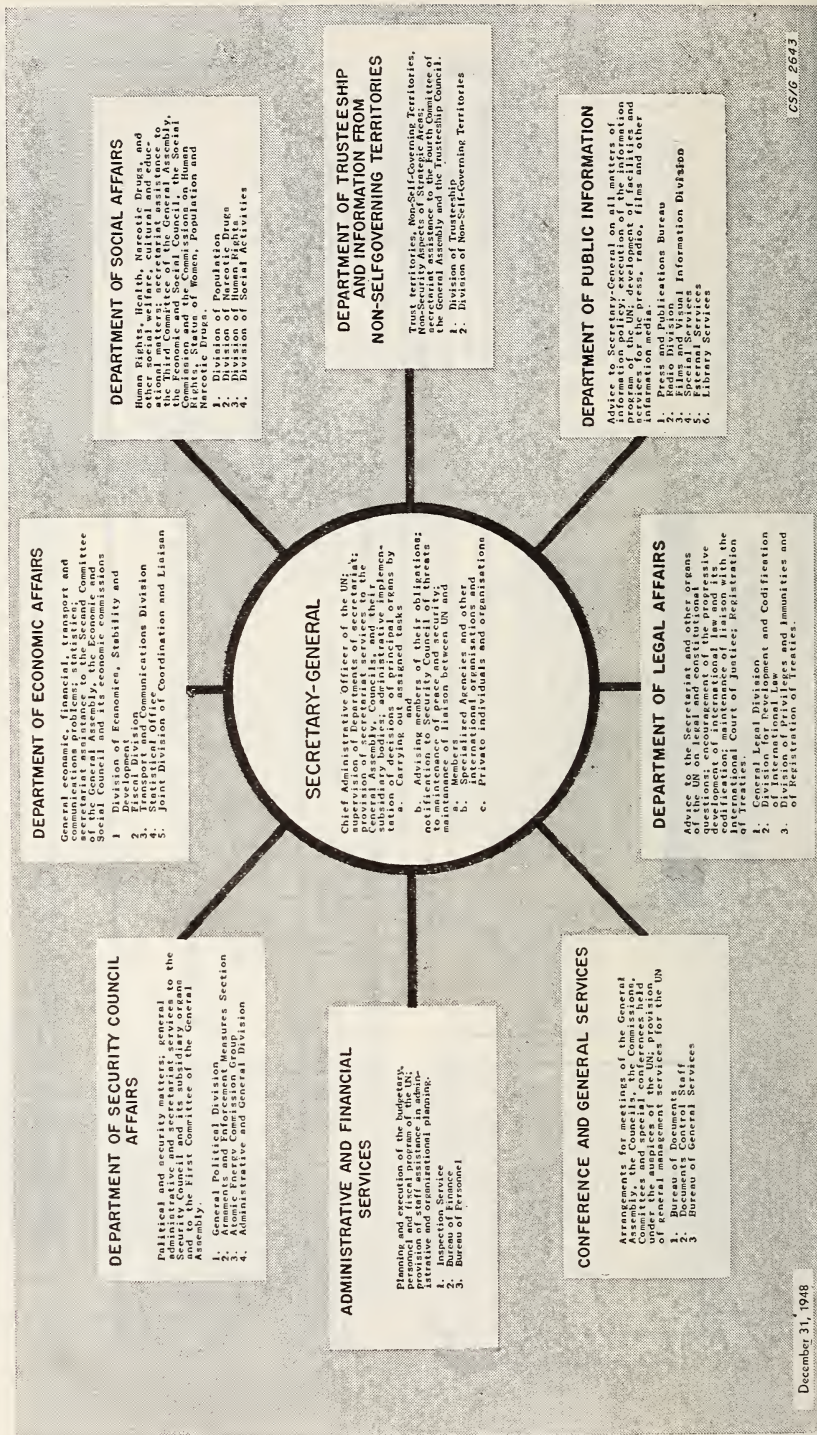
Directly dependent on ECOSOC. Relisted by Agreement. Convention concluded. Organizations to come into being when sufficient ratifications received.

\*The General Assembly approved the Agreement which comes into force when finally approved by the first Assembly of IMCO.

## STRUCTURE AND FUNCTIONS OF THE INTERNATIONAL TRUSTESHIP SYSTEM



# THE UNITED NATIONS SECRETARIAT



## CHRONOLOGY OF THE UNITED STATES IN THE UNITED NATIONS

### 1941

*August 14*—The United States and the United Kingdom make known eight principles for a "better future for the world" in the Atlantic Charter.

### 1942

*January 1*—Twenty-six nations at Washington accept the principles of the Atlantic Charter and pledge united action in war in the Declaration by United Nations.

### 1943

*October 30*—The United States, the United Kingdom, the Union of Soviet Socialist Republics, and China join at Moscow in four-nation declaration recognizing necessity of international organization for the maintenance of international peace and security. (Moscow Declaration announced November 1.)

### 1944

*July 1-22*—Forty-four nations in United Nations Monetary and Financial Conference draw up final act providing for International Monetary Fund and International Bank for Reconstruction and Development, at Bretton Woods, N. H.

*August 21-October 7*—Dumbarton Oaks Conversations between representatives of the United States, the United Kingdom, and the Soviet Union, August 21-September 28, and between representatives of the United States, the United Kingdom, and China, September 29-October 7, result in preliminary draft proposals outlining structure and powers of an international organization for the maintenance of peace and security.

### 1945

*February 3-11*—President Roosevelt, Marshal Stalin, and Prime Minister Churchill meet at Yalta and agree on the method of voting in the Security Council and on the invitations to the San Francisco conference.

*April 25-June 26*—Fifty nations meet at the United Nations Conference on International Organization at San Francisco, draft, and on June 26 sign the Charter of the United Nations.

*July 28*—United States Senate gives advice and consent to ratification of the Charter of the United Nations and annexed Statute of the International Court of Justice.

*August 8*—President Truman ratifies the Charter of the United Nations with the Statute of the International Court of Justice.

*October 24*—Charter of the United Nations comes into force as twenty-ninth nation deposits instrument of ratification with the United States and Secretary of State Byrnes signs Protocol of Deposit of Ratifications of the Charter of the United Nations.

*December 20*—President Truman signs United Nations Participation Act of 1945 providing for United States participation in the United Nations.

## 1946

*January 10–February 15*—First Part of First Session of General Assembly of the United Nations meets at London; elects members of the Security Council and of the Economic and Social Council and appoints the Secretary-General.

*January 17*—Security Council meets for first time in London.

*January 24*—General Assembly establishes Atomic Energy Commission composed of the 11 members of the Security Council and Canada.

*February 4*—Military Staff Committee holds first meeting at London.

*April 3–May 6*—International Court of Justice holds its inaugural session at The Hague.

*December 11*—International Children's Emergency Fund is established by General Assembly.

## 1947

*March 24*—Commission for Conventional Armaments holds first meeting at Lake Success.

*March 26–April 28*—Trusteeship Council holds First Session at Lake Success.

*April 28–May 15*—First Special Session of General Assembly meets at Flushing, N. Y., to discuss question of Palestine.

*September 16–November 29*—Second Regular Session of General Assembly.

*October 20*—Committee of Good Offices on the Indonesian Question holds first meeting.

*October 21*—General Assembly calls upon Albania, Bulgaria, and Yugoslavia to do nothing which could assist the guerrillas in Greece and calls upon these three states and Greece to cooperate in the peaceful settlement of their disputes.

*October 31*—General Assembly approves agreement between the United Nations and the United States on the headquarters of the United Nations.

*November 6–December 4*—Second Session of the General Conference of UNESCO meets in Mexico City.

*November 13*—General Assembly establishes the Interim Committee (Little Assembly).

*November 14*—General Assembly establishes the United Nations Temporary Commission on Korea to facilitate and expedite the participation of the Korean people in the work of their Government.

*November 15*—General Assembly approves separate agreements between the United Nations and the World Health Organization, Universal Postal Union, International Telecommunication Union, International Bank, and International Monetary Fund.

*November 20–December 16*—First Part of Second Session of Trusteeship Council.

*November 21*—First meeting of United Nations Special Committee on the Balkans.

*November 21–March 24*—United Nations Conference on Trade and Employment drafts Charter for International Trade Organization.



*November 24-December 6*—Second Session of Economic Commission for Asia and the Far East.

*November 29*—General Assembly approves plan for future government of Palestine.

*December 2-17*—Second Session of Commission on Human Rights meets at Geneva.

*December 3, 1947-February 16, 1948*—Trusteeship Council Working Committee meets at New York to prepare a draft statute for the City of Jerusalem.

## 1948

*January 5*—First meeting of Interim Committee (Little Assembly)

*January 5-19*—Second Session of Commission on Status of Women.

*January 9*—First meeting of United Nations Palestine Commission.

*January 12*—First meeting of United Nations Temporary Commission on Korea.

*January 20*—Security Council establishes commission to investigate the facts regarding the situation in Jammu and Kashmir, to exercise any helpful mediatory influence, and to study other problems raised by the Foreign Minister of Pakistan.

*February 2-March 11*—Sixth Session of Economic and Social Council.

*February 10-March 10*—Second Part of Second Session of Trusteeship Council meets at New York.

*February 19-March 6*—United Nations Maritime Conference at Geneva drafts constitution for the Intergovernmental Maritime Consultative Organization.

*March 17*—Security Council decides to consider case of Czechoslovakia.

*March 23-April 21*—United Nations Conference on Freedom of Information meets at Geneva.

*April 1*—Security Council requests Secretary-General to convoke a special session of the General Assembly to consider further the question of the future government of Palestine.

*April 5-May 10*—*Ad Hoc* Committee on Genocide meets to prepare draft convention on genocide.

*April 5-23*—Third Session of Social Commission.

*April 7*—World Health Organization is formally established as twenty-seventh nation ratifies its constitution.

*April 12-20*—Second Session of Transport and Communications Commission meets at Geneva.

*April 16-May 14*—Second Special Session of General Assembly considers question of future government of Palestine.

*April 19-May 6*—Third Session of Economic and Employment Commission.

*April 20-May 5*—Third Part of Second Session of Trusteeship Council meets at New York to consider suitable measures for protection of City of Jerusalem and its inhabitants.

*April 23*—Security Council establishes Truce Commission to assist it in supervising the implementation of its resolution of April 17 calling upon all persons and organizations in Palestine to cease all military activities.

*April 26-May 8*—Third Session of Economic Commission for Europe meets at Geneva.

*April 26-May 6*—Third Session of Statistical Commission.

*May 3-22*—Third Session of Narcotics Commission.

*May 10*—United Nations Temporary Commission on Korea observes elections in Southern Korea.

*May 10-25*—Third Session of Population Commission.

- May 14*—General Assembly resolution provides for United Nations Mediator on Palestine and relieves Palestine Commission of its responsibilities under the resolution of November 29, 1947.
- May 17*—Atomic Energy Commission concludes that no useful purpose can be served by carrying on further negotiations at the Commission level and recommends that its conclusions be transmitted to the General Assembly.
- May 22*—Security Council calls upon all governments and authorities to abstain from any hostile military action in Palestine and issues cease-fire order.
- May 24–June 18*—Third Session of Human Rights Commission.
- May 29*—Security Council calls upon all governments and authorities concerned to order a cessation of all acts of armed force in Palestine for a period of four weeks.
- June 1–12*—Third Session of Economic Commission for Asia and the Far East meets at Ootacamund, India.
- June 1–21*—Second Assembly of International Civil Aviation Organization meets at Geneva.
- June 7–25*—First Session of Economic Commission for Latin America meets at Santiago.
- June 15*—First meeting of United Nations Commission for India and Pakistan.
- June 16–August 5*—Third Session of Trusteeship Council meets at New York.
- June 17–July 10*—Thirty-first General Conference of International Labor Organization meets at San Francisco.
- June 24–July 24*—First Assembly of World Health Organization meets at Geneva.
- July 15*—Security Council orders cease-fire and truce of indefinite duration in Palestine, to be effective July 18, 1948.
- July 15–October 31*—United Nations Trusteeship Council Mission visits Tanganyika and Ruanda-Urundi.
- July 19–August 29*—Seventh Session of Economic and Social Council meets at Geneva.
- August 13*—United Nations Commission for India and Pakistan issues to Governments of India and Pakistan a proposal for a cease-fire order in Jammu and Kashmir, followed by a truce agreement and establishment of the future status of Jammu and Kashmir in accordance with the will of the people.
- August 19*—Security Council reaffirms cease-fire order in Palestine and states that no party is entitled to gain military or political advantage through violation of the truce.
- August 24*—Economic and Social Council negotiates agreement between the United Nations and the International Refugee Organization.
- August 26*—Economic and Social Council transmits to General Assembly draft Universal Declaration of Human Rights.
- August 26*—Economic and Social Council transmits to General Assembly draft convention on the prevention and punishment of the crime of genocide.
- August 27*—Economic and Social Council negotiates agreement between the United Nations and the Intergovernmental Maritime Consultative Organization.
- August 28*—Economic and Social Council transmits to General Assembly draft conventions on freedom of information contained in final act of United Nations Conference on Freedom of Information.
- September 16–December 29*—Security Council meets at Paris (returns to Lake Success January 10).
- September 21–December 12*—First Part of Third Regular Session of General Assembly meets at Paris.

- October 8*—General Assembly approves protocol bringing under international control drugs outside the scope of the convention of July 13, 1931, for limiting the manufacture and regulating the distribution of narcotic drugs.
- October 19*—Security Council directs the Jews and Arabs to negotiate on disposition of forces in the Negeb and on solution of outstanding problems there and outlines specific steps designed to make the work of the United Nations and Truce Commission personnel in Palestine more effective.
- November 4*—General Assembly approves the general findings and recommendations of the Atomic Energy Commission and calls upon the Commission to resume its sessions.
- November 4*—Security Council calls on interested Governments in Palestine to withdraw their forces to the October 14 positions (the Acting Mediator being authorized to establish provisional lines beyond which no movement of troops shall take place) and to establish permanent truce lines in Palestine, and appoints a Committee of the Council for Palestine to advise the Acting Mediator and report to the Council, if necessary, on further measures it would be appropriate to take under chapter VII of the Charter.
- November 16*—Security Council calls upon Jews and Arabs in Palestine to negotiate directly or through the Acting Mediator for immediate establishment of an armistice.
- November 18*—General Assembly approves agreements between the United Nations and the Intergovernmental Maritime Consultative Organization and the International Refugee Organization.
- November 27*—General Assembly directs the United Nations Special Committee on the Balkans to continue its work and calls upon Albania, Bulgaria, and Yugoslavia to cooperate with it.
- November 30*—Security Council President appoints a Committee of Neutral Experts on Berlin Currency and Trade to make recommendations to the President on the most equitable conditions for agreement among occupying powers on currency and import-export regulations.
- December 3*—General Assembly re-establishes the Interim Committee with slightly broader functions.
- December 9*—General Assembly approves the convention on the prevention and punishment of the crime of genocide.
- December 10*—General Assembly adopts the Universal Declaration of Human Rights.
- December 11*—General Assembly establishes a Conciliation Commission for Palestine composed of France, the United States, and Turkey.
- December 12*—General Assembly recognizes the established Government of the Republic of Korea and establishes a Commission on Korea to replace the Temporary Commission.
- December 24*—Security Council orders cease-fire in Indonesia and release of Indonesian officials.
- December 29*—Security Council calls upon the Israelis and Egyptians to cease fire in the Negeb, to implement the November 4 resolutions and instructions of the Acting Mediator, and to facilitate supervision of the truce by United Nations observers; instructs the Committee of the Council to meet January 7 to report on the extent to which the Governments concerned have complied with the November 4 and 16 resolutions and this resolution; and calls on governments represented on the Conciliation Commission to appoint representatives.

## DOCUMENTS AND PUBLICATIONS ABOUT THE UNITED NATIONS

### *United Nations Documents and Publications*

The United Nations documentation policy provides that the most important of the United Nations records shall be printed in the official languages: French, English, and Spanish (which also are the working languages), Chinese, and Russian. The published documents include the resolutions of the principal organs, verbatim records of the Security Council and the General Assembly plenary meetings, summary records of the meetings of the General Assembly committees and meetings of the Economic and Social Council, summary records of the Trusteeship Council (except when verbatim records are deemed essential), the most important proposals discussed by the major organs, and the major reports submitted for their consideration. These are now consolidated in the *Official Record* series for each organ, with reports as supplements thereto. In practice, the budgetary limitations for editorial and translating staff and printing have considerably delayed publication of official records.

In addition to the *Official Record* series, the United Nations is currently making available certain publications in the following categories: general United Nations information (delegation lists, rules of procedure); economic and financial studies; economic and stability and employment studies; economic development studies; economic reports (economic surveys on various areas of the world, etc.); trade, finance, and commercial studies; reports of the Economic Commission for Europe; studies on public health, social welfare, legal affairs, trusteeship, non-self-governing territories, political affairs, transport and communications, atomic energy and armament control, international administration (international civil service, relations with specialized agencies); narcotic drugs studies; education, scientific and cultural reports; studies on demography, human rights, relief and rehabilitation; fiscal affairs and statistical reports.

The printed publications of the United Nations may be purchased through the United Nations sales agent, the International Documents

Service, Columbia University Press, 2960 Broadway, New York 27, N. Y. Upon request to that agent, the *United Nations Publications Catalog* may be obtained, which contains a list of the documents for sale by the United Nations, with a brief description of each item.

During 1948, in response to requests from libraries and scholars throughout the world, the United Nations arranged to sell to the public at cost at an annual rate the mimeographed documents which are produced by the various United Nations organs. Over-all subscriptions may now be entered for all of the unrestricted mimeographed documents in one language for \$225. Other subscriptions may be entered for documents by organs according to the following schedule: plenary documents of the General Assembly (\$30); documents of the committees of the General Assembly (\$65); plenary documents of the General Assembly and of the committees of the General Assembly (\$75); documents of the Economic and Social Council (\$30); documents of the commissions of the Economic and Social Council (\$90); documents of the Economic and Social Council and the commissions of the Economic and Social Council (\$100); documents of the Security Council (\$100); documents of the Trusteeship Council (\$30).

Orders and inquiries for the mimeographed documents of the United Nations should be addressed *only* to the Sales Section, Department of Public Information, United Nations, Lake Success, N. Y.

Depository libraries have been established throughout the world for United Nations documents. Twenty-five libraries in the United States have been designated as depository libraries to which mimeographed documents of the United Nations are supplied.<sup>1</sup> These depository libraries, selected by the American Library Associa-

<sup>1</sup> Harvard University, Cambridge, Mass.

Yale University, New Haven, Conn.

Brown University, Providence, R. I.

New York Public Library, 476 Fifth Avenue, New York, N. Y.

Columbia University, New York 27, N. Y.

Johns Hopkins University, Baltimore 18, Md.

Cornell University, Ithaca, N. Y.

Princeton University, Princeton, N. J.

University of North Carolina, Chapel Hill, N. C.

Joint University Libraries, Nashville, Tenn.

Louisiana State University, Baton Rouge, La.

University of Texas, Austin, Texas.

University of Chicago, Chicago, Ill.

Northwestern University, Evanston, Ill.

Cleveland Public Library, 325 Superior Ave., NE., Cleveland 14, Ohio.

St. Louis Public Library, St. Louis, Mo.

University of Michigan, Ann Arbor, Mich.

Denver Public Library, Denver, Colo.

University of California, Berkeley, Calif.

tion, are situated in principal centers of research throughout the country, with due regard to an adequate geographical distribution. In addition, the United Nations exchanges documents on a reciprocal basis with a number of foundations and research organizations. United Nations documents are available in the Library of Congress and in the libraries of a number of government agencies that are concerned with questions of international relations.

### *Department of State Publications*

Important United States policy statements on United Nations matters are regularly published in two periodicals, the *Department of State Bulletin*, a weekly, and *Documents and State Papers*, a monthly (\$5 and \$3 a year respectively, Superintendent of Documents, Government Printing Office, Washington 25, D. C.), which also contain significant United Nations resolutions. They frequently include articles summarizing and explaining the work of United Nations organs and agencies and the position of the United States with respect to United Nations questions. The Department of State also, from time to time, publishes separate pamphlets and documents dealing with matters of interest to the United States which are before the United Nations. The Department publishes reports of its Delegations to certain meetings of the United Nations in the *International Organization and Conference Series*; these are issued as soon as possible after the meetings. The Department also releases other special publications on a wide range of subjects for aid to study groups. Lists of such publications may be obtained from the Division of Publications, Department of State.

### *Selected Bibliography on the United Nations and Specialized Agencies*<sup>2</sup>

#### UNITED NATIONS

##### GENERAL

*The United Nations Conference on International Organization*, San Francisco, Calif., April 25–June 26, 1945. Selected documents. Department of State publication 2490. Buckram. 992 pp. \$2.75.

Stanford University, Stanford University, Calif.

University of California at Los Angeles, Los Angeles, Calif.

Los Angeles Public Library, Los Angeles, Calif.

University of Washington, Seattle, Wash.

University of Illinois, Urbana, Ill.

University of Minnesota, Minneapolis, Minn.

<sup>2</sup>Unless otherwise indicated, requests for documents and publications should

- Charter of the United Nations and Statute of the International Court of Justice, and Interim Arrangements.* Facsimile, in five languages. Signed at the United Nations Conference on International Organization, San Francisco, June 1945. Department of State publication 2368. 232 pp. 60 cents.
- Index to the Charter of the United Nations and the Statute of the International Court of Justice.* 5 cents.
- Covenant of the League of Nations and Charter of the United Nations: Points of Difference.* By Clyde Eagleton. A comparative analysis of the two documents. Department of State publication 2442. 14 pp. 5 cents.
- United Nations Participation Act of 1945.* Public Law 264, 79th Congress, First Session, December 20, 1945. (United States Government Printing Office.)
- Yearbook of the United Nations, 1946-47, Vol. I.* Contains a narrative account of the development of the United Nations including the San Francisco conference, the Preparatory Commission, and the meetings of the United Nations up to July 1, 1947. The narrative is supported by the texts of resolutions and the action taken by United Nations bodies. Brief accounts of the specialized agencies are also included. 991 pp. \$10.
- Yearbook on Human Rights.* 1946. \$5.
- United Nations Bulletin.* A publication which carries accounts and analyses of proceedings and decisions and provides background information on the various meetings and forthcoming events of the United Nations. Vol. VI, No. 1, January 1, 1949, contains a concise account of the work of the United Nations and its related agencies for 1948. \$3 a year, 15 cents a copy.
- United Nations Treaty Series.* A monthly publication which lists treaties and international agreements registered or filed and recorded with the Secretariat of the United Nations. This publication is a continuation of the *League of Nations Treaty Series*. \$3.75 an issue.
- Everyman's United Nations.* Deals with the work of the United Nations from its beginning and with the work and structure of the specialized agencies. Contains also a section on the organizational set-up of the United Nations. (Supersedes *Guide for Lecturers and Teachers*.) Paper bound. 201 pp. \$1.
- The United Nations and You: Questions and Answers for United Nations Day.* Pamphlet free to teachers, study-group leaders, and libraries. United Nations Department of Public Information, Lake Success, N. Y. 15 pp.
- Basic Facts About the United Nations.* Pamphlet. 24 pp. 15 cents.
- Structure of the United Nations (Revision, April 1948.)* Describes the basic structure of the United Nations including the main organs, commissions, committees, etc. Lists terms of reference and membership of these bodies. United Nations Department of Public Information, Lake Success, N.Y. Free.
- What the United Nations Is Doing (series).* For Non-Self-Governing Territories; For Refugees and Displaced Persons; For the Status of Women; For Better World Trade; the Economic Commission for Europe. 15 cents each.
- What It Is (series).* The International Bank; International Civil Aviation Organization; International Children's Emergency Fund; International Trade

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be addressed to the International Documents Service, Columbia University Press, New York 27, N. Y. Department of State publications may be obtained from the Superintendent of Documents, United States Government Printing Office, Washington 25, D. C. Department of State free publications may be obtained from the Division of Publications, Department of State.

- Organization; United Nations Educational, Scientific and Cultural Organization; the United Nations. United Nations Department of Public Information, Lake Success, N.Y. Free.
- Eightieth Congress and the United Nations.* Department of State publication 3302. 66 pp. 35 cents.
- Strengthening the United Nations.* Statements by Secretary Marshall and Ambassador Austin before the House Foreign Affairs Committee. Department of State publication 3159. 10 pp. 10 cents.
- Toward a Stronger United Nations: Questions and Answers Concerning the Status and Development of International Cooperation.* Department of State publication 3373. 12 pp. Free.
- The United States and the United Nations: Report by the President to the Congress for the Year 1947.* Department of State publication 3024. 463 pp. 60 cents.
- The United Nations: Three Years of Achievement.* A detailed and specific discussion of the accomplishments of the United Nations since its organization and the activities of the specialized agencies. Department of State publication 3255. 19 pp. 10 cents.
- Annual Reports of the Secretary-General of the United Nations on the Work of the Organization.* \$1.50.
- Delegations to the United Nations.* Lists of delegates to the various United Nations organs, revised periodically. 25 cents.
- Monthly Bulletin of Statistics.* A bulletin containing information on fuel and power, food, transportation, external trade, current figures on employment and unemployment, industry, production, raw material and manufacturing, finance, wages, and prices. \$5 a year, 50 cents a copy.
- Transportation and Communications Review.* Quarterly publication which succeeds *Summary of Important Events in the Field of Transport and Communications*. \$2 a year, 50 cents a copy.
- List of Multilateral Treaties and Agreements Relating to Transport and Communications Questions.* 75 cents.

#### GENERAL ASSEMBLY

- Rules of Procedure of the General Assembly.* U.N. document A/520. Publication 1948.I.1. 20 cents.
- Resolutions of the General Assembly.* Resolutions of the First and Second Regular Sessions, the First and Second Special Sessions, and the First Part of the Third Regular Session. U.N. documents A/64, A/64 Add. 1, A/519, A/310. Approximately \$1.50 for each set of resolutions.
- The General Assembly.* Background Paper no. 16. Description of the functions and powers of the General Assembly, together with a chart showing the structure. United Nations Department of Public Information, Lake Success, N. Y. 15 pp. Free.
- The Interim Committee of the General Assembly: "The Little Assembly", A Legislative History.* Department of State publication 3204. 32 pp. 20 cents.

#### SECURITY COUNCIL

- Provisional Rules of Procedure of the Security Council.* U.N. publication 1948.I.2. 20 cents.
- The Security Council.* Background paper no. 31. Information on historical background, functions and powers, membership and activities of the Council,



together with a chart of the Council and its organs. United Nations Department of Public Information, Lake Success, N. Y. Free.

*Report of the Security Council to the General Assembly Covering the Period from July 16, 1947 to July 15, 1948.* U.N. document A/620. \$1.50.

#### ATOMIC ENERGY COMMISSION

*International Control of Atomic Energy: Growth of a Policy.* Department of State publication 2702. 281 pp. 45 cents.

*International Control of Atomic Energy: Policy at the Crossroads.* An informal summary record of the policy developments concerning the international control of atomic energy. Department of State publication 3161. 251 pp. 45 cents.

*International Control of Atomic Energy: Third Report of the United Nations Atomic Energy Commission to the Security Council.* Department of State publication 3179. 78 pp. 25 cents.

*Atomic Impasse, 1948.* A collection of speeches by Frederick Osborn, Deputy U.S. Representative to the United Nations Atomic Energy Commission. Department of State publication 3272. 48 pp. 15 cents.

*Proposals and Recommendations of the United Nations Atomic Energy Commission.* Office of United Nations Affairs, Washington 25, D. C.

#### ECONOMIC AND SOCIAL COUNCIL

*Rules of Procedure of the Economic and Social Council and Rules of Procedure of Functional Commissions of the Economic and Social Council.* 25 cents.

*The Economic and Social Council.* Background paper no. 10. Describes the origin, membership and achievements of the Economic and Social Council. United Nations Department of Public Information, Lake Success, N. Y. 29 pp. Free.

*Report of the Economic and Social Council to the General Assembly.* U.N. document A/625. 90 cents.

*Resolutions Adopted by the Economic and Social Council.* Resolutions of the first seven sessions. Approximately 90 cents for each set of resolutions.

*A Survey of the Economic Situation and Prospects of Europe.* U.N. publication 1948.II.E.1. \$2.50.

*Salient Features of the World Economic Situation, 1945-1947.* Supplement (discussion of report in Economic and Social Council). \$2.50.

*ECOSOC 1948: A Review and a Forecast.* By Walter M. Kotschnig. *Department of State Bulletin*, January 2, 1949, pp. 3-23. 15 cents.

#### TRUSTEESHIP COUNCIL

*Rules of Procedure of the Trusteeship Council.* T/1/rev.4 U.N. publication 1947.I.9. 25 cents.

*The Trusteeship Council.* Background paper no. 22. Historical paper on the functions and powers of the Trusteeship Council, general provisions of the Trusteeship agreements, and membership of the Council. United Nations Department of Public Information, Lake Success, N. Y. Free.

*Report of the Trusteeship Council to the General Assembly Covering Its Second and Third Sessions,* April 29, 1947-August 5, 1948. 50 cents.

*Resolutions Adopted by the Trusteeship Council During Its Three Sessions.* Each set of resolutions, 10 cents.

## NON-SELF-GOVERNING TERRITORIES

- The United States and Non-Self-Governing Territories.* Development of international responsibility regarding dependent areas, the work of the United Nations in this connection, and the future responsibilities of the United States in the role of administrator of certain trust territories. Department of State publication 2812. 106 pp. 30 cents.
- Summaries and Analysis of Information on Non-Self-Governing Territories Transmitted to the Secretary-General during 1947.* U.N. publication 1948. VI.B.1. Paper cover. 509 pp. \$4.00.
- Report of the Caribbean Commission to the Governments of the French Republic, the Kingdom of the Netherlands, the United Kingdom, the United States of America for the Year 1947.* Port-of-Spain, Trinidad, 1948. 32 pp.
- Proceedings of the South Pacific Commission, First Session, Sydney, Australia, 11th May-21st May, 1948.* Mimeographed. 13 pp. *Second Session, Sydney, Australia, October 25th-November 2nd, 1948.* 45 pp.

## INTERNATIONAL COURT OF JUSTICE

- Yearbook of the International Court of Justice, 1947-1948.* Annual publication which contains information concerning its organization, jurisdiction, and activities. ICJ/Series E/2. \$2.20.
- The International Court of Justice.* Background paper no. 33. Information on the historical background, composition, and jurisdiction of the court, with a short history of its proceedings. United Nations Department of Public Information, Lake Success, N.Y. 16 pp. Free.
- Reports of Judgments, Advisory Opinions and Orders: Conditions of Admission of a State to Membership in the United Nations.* Advisory Opinion of May 28, 1948. ICJ/Series A/B/2.
- Reports of Judgments, Advisory Opinions and Orders: The Corfu Channel Case (Preliminary Objection).* Judgment of March 25, 1948. ICJ/Series A/B/1.
- Acts and Documents Concerning the Organization of the Court.* No. 1, Charter of the United Nations; Statute and Rules of the Court, and other Constitutional Documents. ICJ/Series D/1.

## DOCUMENTS OF PARTICULAR INTEREST ON THE UNITED NATIONS DURING 1948

- Progress Report on Human Rights.* Department of State publication 3262. 16 pp. 10 cents.
- A Universal Declaration of Human Rights.* Adopted during the First Part of the Third Session of the General Assembly in Paris on December 10, 1948. U.N. document A/811. Also contained in *United Nations Bulletin*, vol. VI, no. 1, January 1, 1949.
- United Nations Action on Human Rights in 1948.* Address by James Simonsarian. *Department of State Bulletin*, January 2, 1949, pp. 3-23. 15 cents.
- Protocol on Narcotic Drugs.* U.N. document A/666 and corr. 1.
- Prevention and Punishment of the Crime of Genocide.* Adopted during the First Part of the Third Session of the General Assembly in Paris on December 9, 1948. U.N. document A/760.
- Concerning Freedom of Information.* United Nations resolution and United States statements and discussion on freedom of information. Department of State publication 2977. 13 pp. 10 cents.

- United Nations Conference on Freedom of Information, Geneva, Switzerland, March 23–April 21, 1948.* Report of the United States Delegation, final act, General Assembly resolutions, and United States views on freedom of information. Department of State publication 3150. 45 pp. 15 cents.
- Progress Report of the United Nations Mediator on Palestine.* Submitted in three parts. U.N. document A/648.
- Resolution Setting Up United Nations Conciliation Commission on Palestine.* Adopted by the General Assembly during the First Part of the Third Session. U.N. document A/807.
- Security Council Action on the Situation in Palestine.* Selected documents. *Documents and State Papers*, November and December 1948, pp. 514–522. 30 cents.
- Report of the United Nations Temporary Commission on Korea.* U.N. document A/575. Vol. I, 60 cents; vol. II, \$1.50; vol. III, \$3.
- Report of the United Nations Special Committee on the Balkans.* U.N. documents A/574 and A/644. 50 cents each.
- United Nations Special Committee on the Balkans.* Comment on report to the Third Session of the General Assembly. By Harry N. Howard. *Documents and State Papers*, September 1948, pp. 363–371. 30 cents.
- Work of the United Nations Good Offices Committee in Indonesia.* Department of State publication 3108. 14 pp. 10 cents.
- Interim Reports Submitted by the Committee of Good Offices on the Indonesian Question to the Security Council.* U.N. documents S/649, corr. 1; S/787; S/848 and add. 1; and S/1085 and corr. 1.
- Interim Report of the United Nations Commission for India-Pakistan.* U.N. document S/1100.
- Report of the Interim Committee to the General Assembly, January 5–August 5, 1948.* United Nations Official Record, 3d session, supplement 10.

## SPECIALIZED AGENCIES OF THE UNITED NATIONS<sup>3</sup>

### INTERNATIONAL BANK

- Articles of Agreement Between the United States of America and Other Powers.* Formulated at the United Nations Monetary and Financial Conference, Bretton Woods, N.H., July 1–22, 1944; signed at Washington December 27, 1945; effective December 27, 1945. Department of State publication 2511. 33 pp. 10 cents.
- What the International Bank Means to You.* Office of Public Relations, International Bank for Reconstruction and Development, Washington, D.C. 13 pp. Free.
- Questions and Answers About the International Bank for Reconstruction and Development.* Office of Public Relations, International Bank for Reconstruction and Development, Washington, D.C. 1948. Free.
- Report of the International Bank to the Economic and Social Council*, third annual report. International Bank for Reconstruction and Development, Washington, D.C.
- Agreement Between the International Bank for Reconstruction and Development and the United Nations.* U.N. document A/349 and Add. 1.

<sup>3</sup> For general information on the specialized agencies, the *What It Is* series is obtainable at the United Nations Department of Public Information, Lake Success, N. Y.

*Bank—Broadened Scope of Activities.* By John J. McCloy, President. *United Nations Bulletin*, vol. VI, no. 1, January 1, 1949. 15 cents.

#### INTERNATIONAL MONETARY FUND

*Proceedings and Documents of the United Nations Monetary and Financial Conference*, Bretton Woods, N.H., July 1-22, 1944. Vols. I and II. Department of State publication 2866. Vol. I, 1126 pp., \$3.50; vol. II, pp. 1129-1808, \$2.25.

*Articles of Agreement Between the United States of America and Other Powers.* Formulated at the United Nations Monetary and Financial Conference, Bretton Woods, N.H., July 1-22, 1944; signed at Washington December 27, 1945; effective December 27, 1945. Department of State publication 2512. 43 pp. 10 cents.

*Agreement Between the International Monetary Fund and the United Nations.* U. N. document A/349 and Add. 1.

*Report of the International Monetary Fund to the Economic and Social Council.* U.N. document E/801 and Add. 1.

*FUND—Expands Its Influence.* By M. H. Parsons, Director of Operations. *United Nations Bulletin*, vol. VI, no. 1, January 1, 1948.

*Annual Report of the Executive Directors of the International Monetary Fund for the Fiscal Year Ended April 30, 1948.* International Monetary Fund, Washington, D.C. Free.

#### FOOD AND AGRICULTURE ORGANIZATION

*Constitution Adopted by the United States of America and Other Governments.* Signed at Quebec, October 16, 1945; effective October 16, 1945. Department of State publication 2677. 15 pp. 10 cents.

*Agreement Between the Food and Agriculture Organization and the United Nations.* U.N. document A/78.

*Facts About the FAO.* Revised to August. Food and Agriculture Organization of the United Nations, Washington, D.C.

*Report of the FAO to the Economic and Social Council.* U.N. document E/597 and Add. 1.

*The World Talks Over Its Food and Agriculture Problems.* Report of the United States Delegation to Third Session of Conference. Department of State publication 3002. 7 pp. 10 cents.

*FAO: What It Is—What It Does—How It Works.* Food and Agriculture Organization of the United Nations, Washington, D.C. Leaflet. Free.

*FAO—Growth of International Cooperation.* By Norris E. Dodd, Director General, *United Nations Bulletin*, vol. VI, no. 1, January 1, 1949. 15 cents.

#### INTERNATIONAL CIVIL AVIATION ORGANIZATION

*Convention Between the United States of America and Other Governments.* Department of State publication 2816. 39 pp. 15 cents.

*Agreement Between the International Civil Aviation Organization and the United Nations.* U.N. document A/106.

*ICAO: What It Is—What It Does—How it Works.* International Civil Aviation Organization, Montreal, Canada. Leaflet. Free.

*International Civil Aviation, 1945-1948.* Department of State publication 3131. 40 pp. 2 charts. 25 cents.

*Report of the ICAO to the Economic and Social Council.* U.N. document E/804 and Add. 1.

- ICAO—Year of Gratifying Progress.* By Albert Roper, Director General. *United Nations Bulletin*, vol. VI, no. 1, January 1, 1949. 15 cents.
- Aspects of United States Participation in International Civil Aviation.* Department of State publication 3209. 318 pp. 40 cents.

## INTERNATIONAL REFUGEE ORGANIZATION

- Constitution Adopted by the United States of America and Other Governments. Treaties and Other International Acts Series 1846.* Department of State publication 3362. 119 pp.
- Report on the First Session of the General Council on the International Refugee Organization.* By George L. Warren. *Department of State Bulletin*, December 19, 1948. pp. 765-767. 15 cents.
- Displaced Persons and the International Refugee Organization.* Report of a Special Subcommittee of the Committee on Foreign Affairs. 80th Congress, 1st Session, United States Government Printing Office, 1947. 88 p.
- Constitution of the International Refugee Organization and Agreement on Interim Measures to be Taken in Respect of Refugees and Displaced Persons.* U.N. document A/284.
- Agreement Between the International Refugee Organization and the United Nations.* U.N. document E/1065.
- Report on the Progress and Prospect of Repatriation, Resettlement and Immigration of Refugees and Displaced Persons.* Submitted by the Secretary-General. U.N. document E/816 and Add. 1, 2.
- Some Aspects of the Displaced Persons Problem.* Department of State, Office of Public Affairs, January 1948. 22 pp. Free.
- IRO—Achievements and Tasks Ahead.* By William Hallam Tuck, Director General. *United Nations Bulletin*, vol. VI, no. 1, January 1949. 15 cents.

## INTERNATIONAL LABOR ORGANIZATION

- Constitution and Rules of the International Labor Organization.* International Labor Office, Washington branch, 1825 Jefferson Place, NW. Free.
- Agreement Between the International Labor Organization and the United Nations.* U.N. document A/72.
- ILO: What It Is—What It Does—How It Works.* International Labor Office, Washington branch, 1825 Jefferson Place NW., Washington, D.C.
- First and Second Report of the International Labor Organization to the United Nations.* International Labor Office, Washington branch, 1825 Jefferson Place, NW., Washington, D.C.
- The US and the ILO.* International Labor Office, Washington branch, 1825 Jefferson Place, NW.
- ILO—A Year of Challenge.* By David A. Morse, Director General. *United Nations Bulletin*, vol. VI, no. 1, January 1949. 15 cents.
- International Labor Organization.* Final articles. Revision convention, 1946. United States and Other Governments. Department of State publication 3325. 11 pp. 5 cents.

## INTERNATIONAL TRADE ORGANIZATION

- Havana Charter for an International Trade Organization, March 24, 1948* (including a guide to the study of the charter). Department of State publication 3206, 155 pp. 35 cents.

- A Charter for World Prosperity—The How and Why of the ITO.* Department of State, Foreign Affairs Outline no. 18, publication 3243. 6 pp. Free.
- Report by the Secretary-General on the United Nations Conference on Trade and Employment.* U.N. document E/807.
- ITO—Task of Increasing World Trade.* By Eric Wyndham White, Executive Secretary of the Interim Commission. *United Nations Bulletin*, vol. VI, no. 1, January 1949. 15 cents.

#### UNITED NATIONS EDUCATIONAL, SCIENTIFIC AND CULTURAL ORGANIZATION

- The Defenses of Peace.* Documents relating to UNESCO. Part I: report by the chairman of the United States Delegation to the London conference, the constitution of UNESCO and other documents of the Conference. Department of State publication 2457. 31 pp. 10 cents. Part II: information on the development of UNESCO, explanation of provisions of its constitution. Department of State publication 2457. 58 pp. 15 cents.
- Agreement Between the United Nations Educational, Scientific and Cultural Organization and the United Nations.* U.N. document A/77 and Corr. 1.
- Report of UNESCO to the Economic and Social Council.* U.N. document E/804 and Add. 1.
- First Session of the General Conference of UNESCO, Paris, November 19–December 10, 1946.* Report of the United States Delegation, with selected documents. Department of State publication 2821. 157 pp. 35 cents.
- Second Session of the General Conference of UNESCO, Mexico City, November 6–December 3, 1947.* Report of the United States Delegation, with selected documents. Department of State publication 3062. 186 pp. 35 cents.
- UNESCO and You: Questions and Answers on the How, What, and Why of Your Share in UNESCO, Together with a Six-Point Program for Individual Action.* (Revised as of March 1, 1948.) Department of State publication 2904. 41 pp. 15 cents.
- UNESCO and the National Commission.* Constitution of UNESCO, act providing United States membership, and list of officers and members of the United States National Commission for UNESCO. Department of State publication 3082. 17 pp. 10 cents.
- UNESCO: What It is—What It Does—What You Can Do To Help.* Folder. Department of State publication 3225. 5 cents.
- Report of the Director General on the Activities of UNESCO During 1948.* UNESCO publication 226. UNESCO Headquarters, 19 Avenue Kleber, Paris, 16, France.

#### WORLD HEALTH ORGANIZATION

- International Health Conference, New York, N. Y., June 19 to July 22, 1946.* Report of the United States Delegation, including the final act and related documents. Department of State publication 2703. 145 pp. 35 cents.
- Agreement Between the World Health Organization and the United Nations.* U.N. document A/348 and Add. 1, 2.
- World Health Organization, Establishment of an Interim Commission.* Arrangement between the United States and Other Governments. July 22, 1946. Department of State publication 2738. 52 pp. 15 cents.

- World Health Organization: Progress and Plans.* By H. van Zile Hyde. Includes WHO constitution and a bibliography. Department of State publication 3126. 23 pp. 15 cents.
- Report of the Interim Commission of the World Health Organization.* U.N. document E/786 and corr. 1.
- World Health Organization: Aggressive Offensive Against Disease.* By Brock Chisholm, Director General. *United Nations Bulletin*, vol. VI, no. 1, January 1949. 15 cents.
- Challenges and Opportunities in World Health: The First World Health Assembly.* By H. van Zile Hyde. Department of State publication 3311. 8 pp. 10 cents.

## UNIVERSAL POSTAL UNION

- Agreement Between the Universal Postal Union and the United Nations.* U.N. document A/347 and Add. 1.
- Report of the Universal Postal Union to the Economic and Social Council.* U.N. document E/811.

## INTERNATIONAL TELECOMMUNICATION UNION

- Agreement Between the International Telecommunication Union and the United Nations.* U.N. document A/370 and Add. 1.
- Report of the International Telecommunication Union to the Economic and Social Council.* U.N. document E/812.
- International Telecommunication Conferences, Atlantic City, New Jersey, May to Oct. 6, 1947.* Department of State publication 3177. 192 pp. 40 cents.

## INTERGOVERNMENTAL MARITIME CONSULTATIVE ORGANIZATION

- Toward a World Maritime Organization.* Summary of developments in ocean shipping and of the proceedings of the United Nations Maritime Conference with text of convention of the IMCO. Department of State publication 3196. 28 pp. 15 cents.
- Agreement Between the Intergovernmental Maritime Consultative Organization and the United Nations.* U.N. document E/1065.
- Convention of the WMO.* Secretariat of the International Meteorological Organization. 5 rue Etrez, Lausanne, Switzerland.

